

**ROCHESTER CITY
BOARD OF ZONING APPEALS**

FULTON COUNTY FAIR GROUNDS
1009 W 3rd ST.
ROCHESTER, IN 46975

WEDNESDAY, JANUARY 26, 2022
6:00 P.M.

CALL TO ORDER

ELECTION OF OFFICERS

ADOPTION OF MEETING RESOLUTION

BOARD OF ZONING APPEALS MINUTES FOR:

DECEMBER 22, 2021

OLD BUSINESS:

NEW BUSINESS:

Rob Shafer (#210984)

Rob Shafer (#210991)

Manitou Crossing- Andis Dimants (#210948)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

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

**ROCHESTER CITY
BOARD OF ZONING APPEALS**

WEDNESDAY, DECEMBER 22, 2021

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

CALL TO ORDER

**BOARD OF ZONING APPEALS MINUTES FOR:
NOVEMBER 17, 2021**

OLD BUSINESS:

NEW BUSINESS:
Tom Martin (#210903)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

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

The Rochester City Board of Zoning Appeals met on Wednesday the 22nd day of December 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 6:17 P.M. The following members were present: David Roe, Teresa Houser and Paul Zartman. Also in attendance were: Executive Director; Heather Redinger, Board Attorney, Andy Perkins and Administrative Secretary, Kim Gard.

It is duly noted that Duane Border and Dan Shafer were absent.

IN RE: MEETING MINUTES

November 17, 2021

David Roe asked the Board for any deletions, or corrections to be made to the November 17, 2021 minutes. Teresa Houser moved to approve the November 17, 2021 Rochester City Board of Zoning Appeals minutes as written. Paul Zartman seconded the motion. Motion carried as follows: Teresa Houser, Paul Zartman and David Roe being in favor and no one opposing.

IN RE: NEW BUSINESS

Tom Martin (#210903)

Tom Martin (#210903) is requesting development standard variance of 4' off of the south side yard setback for the purpose of a 24' x 40' garage with living space, located at (010-107115-00) 1167 Ferndale Dr., Rochester, IN., within Residential Cluster (R3) district.

In the R3 district the side yard setback is 8' for a primary structure. Mr. Martin would like to construct a 24' x 40' garage with living space and keep the rest of the lot open for future build. The proposed project will sit approximately 4' off of the south side yard. Therefore, a variance of 4' off the south side yard setback is being requested.

David Roe asked petitioner if they had anything further to add.

Being nothing further to add.

David asked for any Board questions.

Being no 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: Paul Zartman, Teresa Houser and David Roe 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. Teresa Houser moved to close the public hearing. Paul Zartman seconded the motion. Motion carried as follows: Teresa Houser, Paul Zartman and David Roe 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 Tom Martin (#210903) requesting development standard variance of 4' off of the south side yard setback for the purpose of a 24' x 40' garage with living space, located at (010-107115-00) 1167 Ferndale Dr., Rochester, IN., within Residential Cluster (R3) district. Paul Zartman seconded the motion.

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

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

Paul Zartman	Yea
Teresa Houser	Yea
David Roe	Yea

Motion to approve Tom Martin (#210903) is requesting development standard variance of 4' off of the south side yard setback for the purpose of a 24' x 40' garage with living space, located at (010-107115-00) 1167 Ferndale Dr., Rochester, IN., within Residential Cluster (R3) district. Passed with three votes being in favor and no one opposed.

IN RE: PLAN DIRECTOR'S REPORT

Heather stated we have had a very busy year. The Plan Commission has brought in approximately \$100,000 this year in permits compared to approximately \$60,000 last year.

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 December 22, 2021 Rochester City Board of Zoning Appeals meeting. Paul Zartman moved to adjourn the December 22, 2021 Rochester City Board of Zoning Appeals meeting at 6:30 P.M. Teresa Houser seconded the motion. Motion carried as follows: Teresa Houser, Paul Zartman and David Roe, being in favor and no one opposed.

ROCHESTER CITY BOARD OF ZONING APPEALS

ATTEST: _____
Kim Gard, Administrative Secretary

Docket #210984
Rob Shafer
Development Standard Variance

Rob Shafer (#210984) is requesting development standard variances of 10' off of the side yard setbacks, off of the minimum lot width and off of the minimum lot size for the purpose of splitting 4 lots, with existing duplexes, into separate parcels, on properties located at 1210, 1220, 1230, 1240 Park Rd., Rochester, IN within Residential Cluster (R1) district.

Mr. Shafer owns four lots that has existing duplexes. He would like to split the lots so that each duplex is on its own lot. In the R1 district the side yard setback is 10' for primary structures, the minimum lot width is 80' and the minimum lot size is 7200 sf. Mr. Shafer would need a variance of 10' off of the side yard setback from the newly created "interior" lot lines and a variance off of the lot width and lot size are also needed. However, we cannot determine the exact variance amount for the lot size and lot width without a survey. The survey will determine where the duplex sits on each lot. Therefore, variances of 10' off of the side yard setbacks, off of the minimum lot width and off of the minimum lot size are being requested.

Requesting development standard variances of approximately 10' off of the side yard setbacks, off of the minimum lot width and off of the minimum lot size for the purpose of splitting 4 lots, with existing duplexes, into separate parcels, on properties located at 1210, 1220, 1230, 1240 Park Rd., 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,

Rob Shafer # 210984

Located at: 1210, 1220, 1230, 1240 Park Rd., 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.

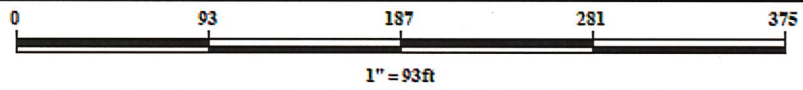
The signature of any person on the form is not to be construed as a waiver or consent to the petition, but merely evidence that the person has received notice of the hearing.

green cards on file

NAME	ADDRESS	SIGNATURE
✓ City Of Rochester	320 Main St Rochester, IN 46975	
✓ Bridge Robert R Family Trust dated March 2, 1998; Nancy K Waggoner, Trustee	1235 Bittersweet Lane ✓ Rochester, IN 46975	
✓ Dobson Spencer Michael & Darian Michelle	1245 Bittersweet Lane Rochester, IN 46975	
✓ Montel J Todd & Christine A	713 W 13th Street Rochester, IN 46975	
✓ Wintczak Ronald R Sr & Tammy L	495 N State Rd 23 Knox, IN 46534	
✓ Ewing Dorothy K	1215 Bittersweet Ln Rochester, IN 46975	
✓ Perkins Todd A & Teresa M	1225 Bittersweet Lane Rochester, IN 46975	



- Parcels
 - City Town Boundary
 - Sections
 - Peacetreer Village - St
 - Addresses
 - Permits - Accessory
 - Bldg Permits
-
- Parcels
 - Highways
 - Roads
 - Tippecanoe River
 - Permits - Access
 - Permits - Comm
 - Bldg Permits



Docket #210991
Rob Shafer
Development Standard Variance

Rob Shafer (#210991) is requesting development standard variances of 10' off of the side yard setback, a variance off of the minimum lot width and minimum lot size for the purpose of dividing a current duplex into separate parcels, located at 2318 Westside Rd., Rochester, IN., within Multi-family Residential (R2) district.

Mr. Shafer owns a lot with an existing duplex. He would like to split the lot so the each duplex has its own lot. In the R2 district the side yard setback is 10' for primary structures, the minimum lot width is 90' and the minimum lot size is 12,000 sf. Mr. Shafer would need a variance of 10' off the side yard setback from the newly created 'interior' lot line. However, we cannot determine the exact variance amount for the lot size and lot width without a survey. The survey will determine where the duplex sits on each lot. Therefore, variances of 10' off of the side yard setbacks, off of the minimum lot width and off of the minimum lot size are being requested.

The request is for development standard variances of 10' off of the side yard setback, a variance off of the minimum lot width and a variance off of the minimum lot size for the purpose of dividing a current duplex into separate parcels, located at 2318 Westside Rd., Rochester, IN., within Multi-family Residential (R2) 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,

Rob Shafer # 210991

Located at: 2318 Westside Rd., 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.

green cards on file

NAME	ADDRESS	SIGNATURE
✓ Michael W Downing	2313 Westside Rd Rochester, IN 46975 ✓	
✓ Apt Frank David & Apt Judith Ann Family Trust Agreement	2315 Westside Rd Rochester, IN 46975 ✓	
✓ Kunkle Edward L & Judith Trust	2205 W 300 S Peru, IN 46970 ✓	
✓ Douglas J Brovont	1509 Ewing Rochester, IN 46975 ✓	
✓ Manitou Holdings Group LLC	2530 Wolfs Point Dr Rochester, IN 46975 ✓	
✓ LE to Bonnie Overmyer; Overmyer Stephen A	2750 Hickory Lane Rochester, IN 46975	
✓ Kevin J Renie	2960 Hickory Lane Rochester, IN 46975	

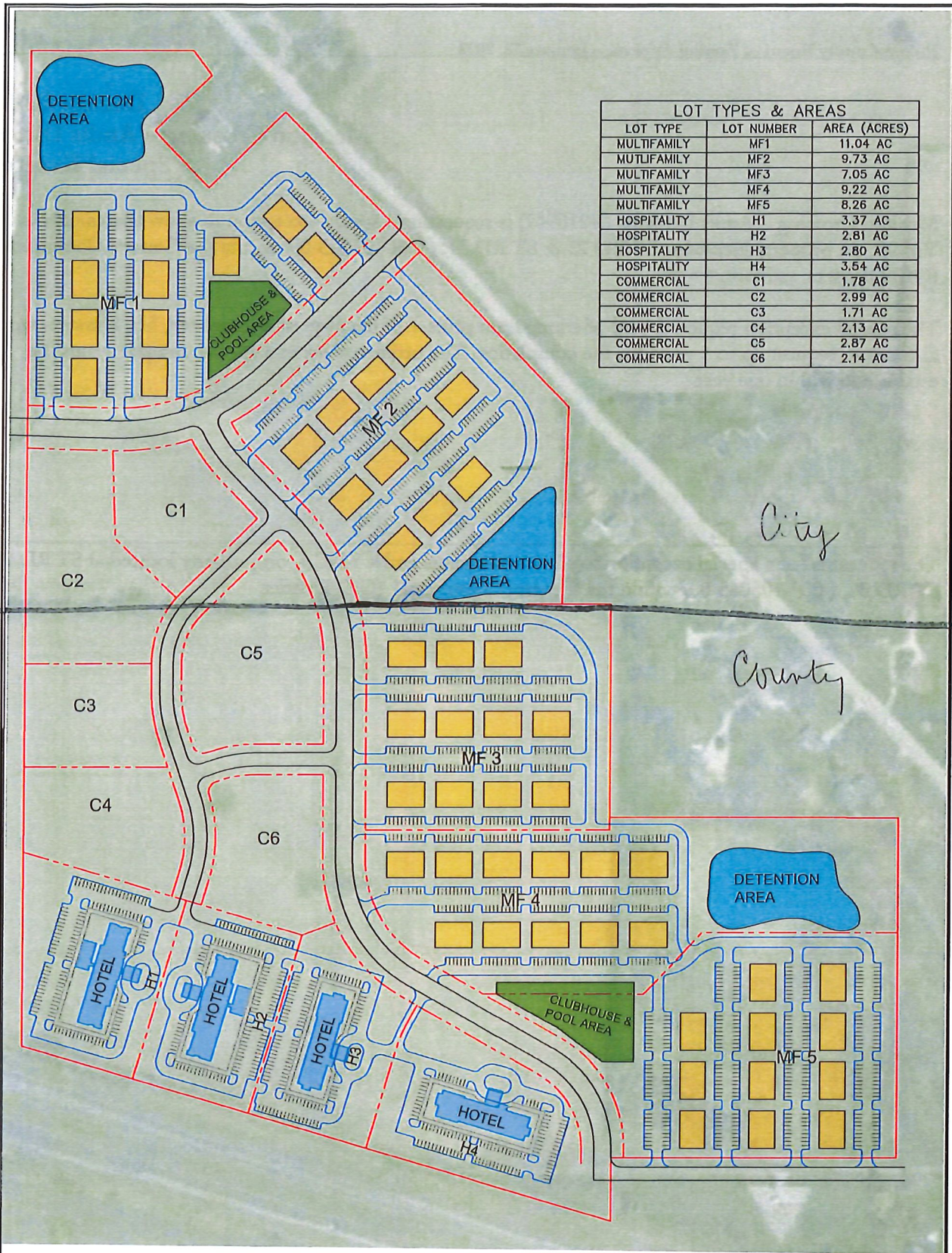


Docket #210948
Manitou Crossing – Andis Dimants
Special Exception

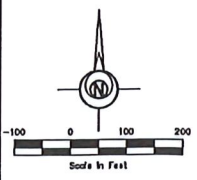
Manitou Crossing – Andis Dimants (#210947) is requesting a special exception to allow apartments and a YMCA, on property located at ST RD 25 & ST RD 31, (009-105045-00) within the General Commercial (GC) District.

The special exception request is part of a long term project. If the request is approved, Mr. Dimants would also like to request up to 5 years for the completion. The ordinance states a special exception must be established within one year.

Manitou Crossing – Andis Dimants (#210947) is requesting a special exception to allow apartments and a YMCA, on property located at ST RD 25 & ST RD 31, (009-105045-00) within the General Commercial (GC) District.



LOT TYPES & AREAS		
LOT TYPE	LOT NUMBER	AREA (ACRES)
MULTIFAMILY	MF1	11.04 AC
MULTIFAMILY	MF2	9.73 AC
MULTIFAMILY	MF3	7.05 AC
MULTIFAMILY	MF4	9.22 AC
MULTIFAMILY	MF5	8.26 AC
HOSPITALITY	H1	3.37 AC
HOSPITALITY	H2	2.81 AC
HOSPITALITY	H3	2.80 AC
HOSPITALITY	H4	3.54 AC
COMMERCIAL	C1	1.78 AC
COMMERCIAL	C2	2.99 AC
COMMERCIAL	C3	1.71 AC
COMMERCIAL	C4	2.13 AC
COMMERCIAL	C5	2.87 AC
COMMERCIAL	C6	2.14 AC



ELDS DESIGN SERVICES

Architecture | Engineering | Surveying
 2323 Dixon Street, Des Moines, Iowa 50316 | PO Box 4628, Des Moines, Iowa 50306 | P/c: 515 265 8196

**MIXED USE CONCEPT
 ROCHESTER, IN**

DATE: _____ DRAWN BY: **ABINGFIELD** CHECKED BY: _____ SCALE: _____ SHEET NO. OF 21-143

CONCEPT

- A. A division of the Board may grant a special exception for a use in a district if, after a hearing under, it makes findings of facts in writing, that:
 - a. the proposal will not be injurious to the public health, safety, morals, and general welfare of the community;
 - b. the requirements and development standards for the requested use as prescribed by this Ordinance will be met;
 - c. granting the exception will not subvert the general purposes served by this Ordinance and will not, permanently injure other property or uses in the same district and vicinity; and,
 - d. the proposed use will be consistent with the character of the district therein and the Fulton County Comprehensive Plan.
- B. When considering a Special Exception a division of the Board of Zoning Appeals may examine the following items as they relate to the proposed use:
 - a. topography and other natural site features
 - b. zoning of the site and surrounding properties;
 - c. driveway locations, street access and vehicular and pedestrian traffic;
 - d. parking, amount, location, design;
 - e. landscaping, screening, buffering;
 - f. open space and other site amenities;
 - g. noise production and hours of operation;
 - h. design, placement, architecture, and building material of the structure;
 - i. placement, design, intensity, height, and shielding of lights;
 - j. traffic generation; and,
 - k. general site layout as it relates to its surrounding.
- C. A division of the Board may impose such reasonable conditions upon its approval as it deems necessary to find that Section 10.11 above will be served.
- D. A division of the Board may require the owner of the parcel of property to make a written commitment concerning the use or development of the parcel as specified under IC 36-7-4-921 and have such commitment recorded in the Fulton County Recorder's Office.
- E. A division of the Board may limit special exceptions to a specific individual and/or a specific time period and for a specific use.
- F. A use authorized by special exception may not be expanded, extended, or enlarged unless reauthorized by a division of the Board under the procedures set forth in these rules for granting a special exception.
- G. A special exception, granted for a specific use ceases to be authorized and is void if that use is not established within a twelve (12) month period of the date the special exception was granted and all commitments met.
- H. If a division of the Board grants the special exception, it shall direct the applicant to apply for an Location Improvement Permit and/or a Building Permit. If such application complies with all Ordinances and rules, an Location Improvement Permit and/or a Building Permit for the use authorized by special exception shall be issued.
- I. A special exception may be terminated by a division of the Board of Zoning Appeals under the following conditions:
 - a. Upon the filing of a complainant application by an interested person or a member of the staff, a public hearing is held with notice to the property owner; and,
 - b. At the public hearing a finding is made by a division of the Board that one or more of the following has not been complied with:
 - 1. The terms of this Ordinance,
 - 2. Conditions of approval,



3. Written Commitments.

- c. A complainant may not file for the same cause within the twelve (12) months.

10-1.13 Development Standards Variances

- A. A division of the Board may grant a variance from the development standards of the zoning ordinance (such as height, bulk, area) if, after a public hearing, it makes findings of facts in writing, that:
- the approval will not be injurious to the public health, safety, morals, and general welfare of the community; and
 - the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and
 - the strict application of the terms of this Ordinance will result in a Practical Difficulty.
- B. A division of the Board may require the owner of a parcel of property to make written commitments and record it in the Fulton County Recorder's Office concerning the use or development of that parcel or may impose conditions upon that grant of variance.
- C. A developmental standards variance granted by a division of the Board shall run with the parcel until such time as: (1) the use of the variance ends, or (2) the property conforms with the Ordinance as written.
- D. A division of the Board of Zoning Appeals may enforce any condition and/or commitment it has imposed as if it were a standard of this Ordinance.

10-1.14 Appeals of Administrative Decisions

- A. A division of the Board shall hear and decide appeals where it is alleged there is error in any of the requirements, decisions or determination made by an administrative official or body charged with the administration and enforcement of this Ordinance.
- B. An appeal concerning interpretation or administration of this Ordinance may be taken by any person aggrieved by any decision of the administrative official or body charged with the administration and enforcement of this Ordinance.

10-1.15 Exclusion

Nothing in these rules, regulations or orders issued pursuant to this Ordinance shall be deemed to restrict or regulate the power of eminent domain by the State of Indiana or by any state agency. Nor shall they be deemed to authorize any unit of government, legislative body, plan commission, or board of zoning appeals to restrict or regulate the power of eminent domain by the State of Indiana or a state agency.

As used in this section, the term "state agency" shall mean and include all agencies, boards, commissions, departments, and institutions, including state educational institutions of the State of Indiana.

10-1.16 Amendments

Amendments to these rules of procedure may be made by a division of the Board at any regular meeting upon the affirmative vote of a majority of the members of a division of the Board. The suspension of any rule may be ordered at any meeting by a two-thirds (2/3rds) vote of the entire division of the Board.

10-1.17 Approval

Rules of Procedure of a division of the Fulton County Board of Zoning Appeals must be approved by an affirmative vote of all members of said division of the Board of Zoning Appeals at a regularly scheduled meeting of the division of the Board.



To the Fulton County Board of Zoning Appeals regarding Docket number BZA210947; special exemption for the building of apartments and YMCA on property known as "Manitou Crossing" located at St. Rd. 25 and Rd. 31.

The attached petitioners, consisting of property owners and concerned Fulton County citizens, are requesting that complete and in-depth due diligence is done by the board before submitting to this request, as there are many potential costly and damaging consequences associated with this development request. Some questions to be answered follow, with additional questions and concerns attached:

1. What drainage impact will the 83 acres change from pervious to impervious status have on Minnow Creek and current user residents?
2. Who designed the retention ponds and is the engineering data available for review that supports the "drainage plan" as the ponds appear to be small.
3. How is the split acreage (1/2 county and 1/2 city) being handled? Will you be attending the city BZA meeting?
4. The introduction of a YMCA is new to the plan. How did this come about? Who will finance the building and future funding of the Y and, more importantly and specifically, who will run and oversee the Y?
5. Who will manage the large number of low-income apartments? What guarantee is there that the development will not be plagued with crime and housing upkeep issues? Similar low-income housing developments in counties surrounding Fulton County have added additional burdens to public safety and zoning. The development is not bringing 2500 jobs to our community but certainly could bring 2500 people in 660 apartments. This is over an additional 10% of population to Fulton County. Is the county and city prepared for this?

These questions and concerns, along with those on the attached pages, are ones that we have not seen asked of the developer or public officials. Please make sure these issues are discussed in a public forum.

Thank you,
Concerned Citizens of Fulton County

FILED

JAN 11 ~~2020~~ 2022

**Fulton County
Plan Commission**

Concerned Citizen Questions & Concerns

6. Drainage all goes to Minnow Creek. Diagram shows over ½ of 83 acres will be apartments. Roofs, streets, parking and sidewalks will all be 100% run off. If 4 hotels and parcels C1 through C6 are built, this would appear to be at least 80% one hundred percent run off. Minnow Creek was reconstructed approximately 2 years ago so Belwood Acres residents would have mostly dry basements after years of problems. The basements along Spade Drive all require sump pumps even now with any significant precipitation. Detention ponds have over flows and these will go into Minnow Creek.

7. Does Realty Metrix do all of the construction or just acquire the land? Will local contractors be considered? Will contractors use local suppliers i.e. glass companies, lumber yards, and hardware stores? Will they hire local laborers? What similar projects have they done in the last 10 years? Where are they located? Have county commissioners, county council, zoning board, city council, mayor visited these sites and reported back to BZA there findings? Have they spoken with their peers in those areas to get their view on their projects from start to finish and how it has helped or been detrimental to their community? Will Realty Metrix or anyone else involved in this project be asking for tax abatements or TIF designation?

8. Has an engineering study been done to determine if current water, sewage, gas and electric utilities are sufficient to handle 660 apartments, 4 hotels, and 6 commercial businesses? For out of city property what is the plan for water and sewage?

9. Adding 660 apartments, what is the impact on local schools, law enforcement departments, hospital, fire department, EMS, Transpo, welfare department, and street department? There could easily be 2,000 people and 500 vehicles. Are there enough jobs in Fulton County to employ 50% of these people? Are you seeing serious interest from manufacturing companies wanting to relocate or expand operations in Fulton County?

10. Traffic flow – St. Rd. 25 (Main St.), Old 31 from Farm Credit North, East/West on 18th. How does local authorities plan on handling this increase? Where will all entrances/exits to complex be located?

11. Currently the two motel/hotels have average of 15% of rooms rented. Why do you think up to 4 more will be interested in building? Is it a “build it and they will come” mentality? Have there been inquiries from any hotel chains in the past 2 years interested in coming to Rochester? How many rooms per hotel would be expected?

12. Residents whose properties butt up against this complex moved to this area for the privacy afforded them. Some have children that have play areas in their back yards. Will they be provided with security/privacy fencing to insure the safety of themselves but more importantly their children and grandchildren? This would be especially critical due to the detention ponds and swimming pools. Where will the playgrounds be located and how many will there be?

FILED

JAN 11 2022

**Fulton County
Plan Commission**

Concerned Citizen Questions Concerns

13. Will all apartments be available to only those who qualify for low income housing assistance? If no, what percentage will be set aside for low income, what percentage for senior citizens and what percentage for those paying full ride? Will there be elevators to accommodate senior citizens and handicapped? How many 1 bedroom, 2 bedroom and 3 bedroom apartments will there be?

14. Have all local manufacturers (Rochester, Akron, Fulton, Kewanna, Talma, Leiters Ford and any others) been ask as to whether they expect to expand, move or consolidate their operations in the next 5 years?

15. Of the 81 million dollar investment, how much is private, how much state and how much is federal monies? What is R. M. (Realty Metrix) expecting from the City of Rochester and Fulton County taxpayers? That would be FEDCO funds, tax abatements, TIF, etc. Are there any stipulations from state and/or local governments that apartments must be available to them if they want to place from outside this county in this complex?

16. During construction and after construction, will there be on site security 24/7 or at all? Will there be full time maintenance person(s), full time property manager and grounds keeper (i.e. lawn care, etc). Will you use local persons? Would you consider hiring residents of complex? Will you work with the local drug/alcohol recovery groups via donations/meeting areas, etc.? We have two organizations that are not for profit that offer wonderful service to help in recovery, financial education, etc. Celebrate Recovery and HOPE (there may be others too) that would be to R.M.'s benefit as well as their occupants and the community if you would work with them.

17. Is there a guarantee to city and county that if you do project it will be completed in five years?

While Fulton County is in need of more low income housing, there is not a need for 660 units. To fill up these apartments, where will the rest of the people come from? How do they learn of these vacancies? *Is there an agency or program that gets the info out to other areas? Do you (R..) advertise outside of Fulton County? Do you provide transportation for these people if they have none?*

The bulk of the people requesting more information before BZA approves this variance, are not "Not in my Backyarders" but they are concerned as to where their tax dollars are going, their property values, their children's safety as well as their own and other concerns as previously expressed. We are not comfortable that they city and county can afford the increase in costs of operations that will be brought about by this complex. The County Council and City Council would need to prove to taxpayers that the increase in property taxes would more than offset expenses of this project.

We look forward to your response to our questions and concerns.

January 11, 2022

To: Board of Zoning Appeal

Re: BZA Docket #BZA210947

Three other persons affected by this project brought me a list of questions about the project. This is a compilation of those as there were several duplications.

- INFORMATION PROVIDED: Looking at diagram of proposed apartments and diagram of Minnow Creek – From low area in field on North side of Belwood Acres just on the west side of Old 31 south, south of 31 bypass overlay Minnow Creek over apartments. *It looks like buildings are right over Minnow Creek. It goes under 31 bypass into low areas of field, then along Walmart access north along 25. Walmart detention pond overflow empties into it. Retention area north of Westwood Apts. and south of Smith Farm Store and Auto Zone dumps into it. It continues west and north to West 8th street where it becomes open ditch and goes under west 3rd street and on to river. It drains everything west of Big Hills, north of Belwood Acres along Liberty Road, Walmart, Wings, Starbucks, Mexican restaurant, MacDonalds, Smith Farm Stores, along west side of St. Rd. 25 and west part of Rochester. When I lived on Fulton Ave. between West ninth & 10th streets, it went through my backyard. I have seen water boil up out of the ground after a good rain and that was before most of the development south of St. Rd. 14.*

Information provided to and by Maurice Siders.

FILED

JAN 11 2022

**Fulton County
Plan Commission**

PETITION TO DENY ON TABLE TO THE
 FULTON COUNTY BOARD OF ZONING APPEALS
 REGARDING DOCKET # 210947

NAME	ADDRESS
Samuel S. Pembert	1164 Apple Tree Ln.
Joyce Bailey	922 Jefferson St
John Fry	3957 W 45th N
Kandee Balkov	842 Cherry Tree Ln.
Willa Pankay	433 E 18th St
Wesley Spicard	779 Cherry Tree Ln
Shirley Deschamps	2982 Hickory Ln
Richard A. Smith	3392 WABASH AV.
Bruce Scott	1667 Sweet gum RD
Greene Bradley	403 W. 9th St.
Zon Baldwin	301 Fulton Ave Rock.
Carolyn Bathrick	705 Fortina Dr. Rock.
J. Taylor O'Connell	1314 Hill St
Susan P. Smoot	1314 Hill St
Jina M. McKee	1311 Hill St
Edgar S. McKee	1311 Hill St
Paul R. Archlin	322 Hill St.
Ameyl Freeman	1306 Hill St.
Matt Ameyl	1306 Hill St.
Carly Murphy	1385 Hill St
Charles Farrell	2617 CAPTAINS CT.
Clinton O'Brien	2421 BARNETT ROAD
Jack Martin	219 E 13th St

FILED

JAN 11 2022

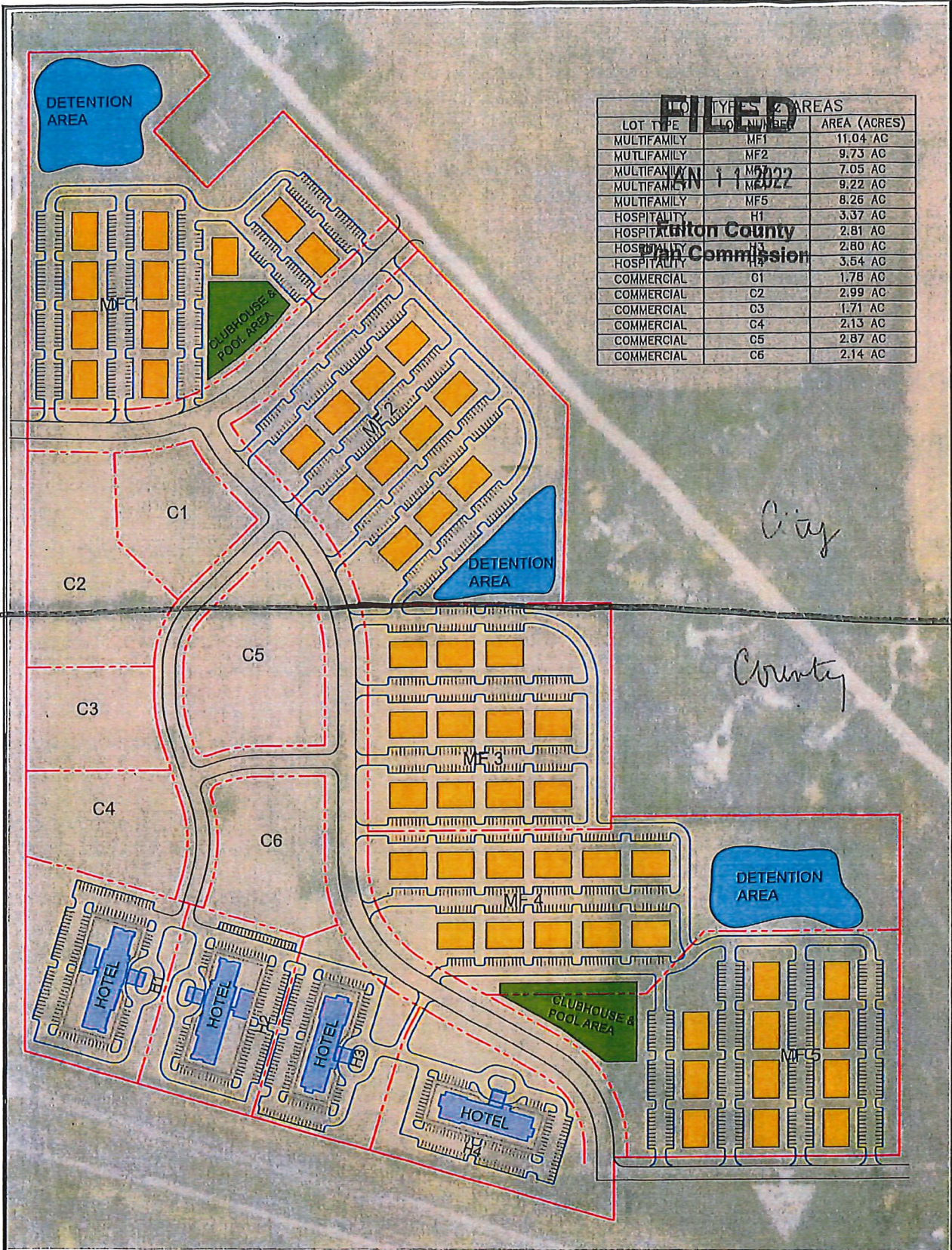
Fulton County
 Plan Commission

FILED

JAN 11 2022

Fulton County
Plan Commission

5 Maurice R. Sedler	1173 JUDGE DR.
Kathy Sedler	1173 Judge Dr.
Shannon M Miller	2379 E 150 S
Doug Pfahler	Rochester In
Jim Collins	1110 S OLD US 31
Marilyn Collins	Rochester, In.
George Swihart	1082 Rochesteren Trl.
Jack Cummins	2293 Sycamore Dr. Rochester
STEVE HOYT	2296 SYCAMORE DR Roch.
Rebecca Latuga	2268 Sycamore Dr.
Fray Bramer	2244 Sycamore Dr Rochester, In, 4697
Connie Macey	2210 Sycamore Dr Rochester 4697
Mary Stockholder	2194 Sycamore Dr Rochester In 46975
Patricia J. Wood	1057 S. OLD US 31 Rochester
Edith Smoker	1067 S. Old U.S. 31. Rochester
Lottie Smoker	1067 S Old US Hwy 31 Rochester
Ausan Dunn	2787 Southway 31, Roch, In.
Dan Shiner	2555 Liberty Rd. Roch, In
Sammy Vachon	2555 Liberty Rd Rochester In
Gracie Jenkins	2156 Sycamore Drive
Art Hoffmann	2096 Sycamore
Kela Hoffmann	2096 Sycamore Drive
Tom R.	1074 Hawthorne Lane
Toby Leininger	2766 Southway 31
George W. Walker	1075 SHAWTHORNE ROC IN
Jim Paul	1164 APPLE TREE LN.
JIM HAYES	2524 SOUTHWAY 31
John A. Lee	2594 SOUTHWAY 31
Joe Hutterman Joe Hutterman	2601 Southway 31
Tommy Pappas	2666 Southway 31
George & Marilyn Hutterman	2646 South way 31



LOT TYPES & AREAS		
LOT TYPE	LOT NUMBER	AREA (ACRES)
MULTIFAMILY	MF1	11.04 AC
MULTIFAMILY	MF2	9.73 AC
MULTIFAMILY	MF3	7.05 AC
MULTIFAMILY	MF4	9.22 AC
MULTIFAMILY	MF5	8.26 AC
HOSPITALITY	H1	3.37 AC
HOSPITALITY	H2	2.81 AC
HOSPITALITY	H3	2.80 AC
HOSPITALITY	H4	3.54 AC
COMMERCIAL	C1	1.78 AC
COMMERCIAL	C2	2.99 AC
COMMERCIAL	C3	1.71 AC
COMMERCIAL	C4	2.13 AC
COMMERCIAL	C5	2.87 AC
COMMERCIAL	C6	2.14 AC

Scale in Feet

ORIGINAL

2223 Dixon Street, Des Moines, Iowa 50316 | PO Box 4628, Des Moines, Iowa 50308 | P: 515.265.8198

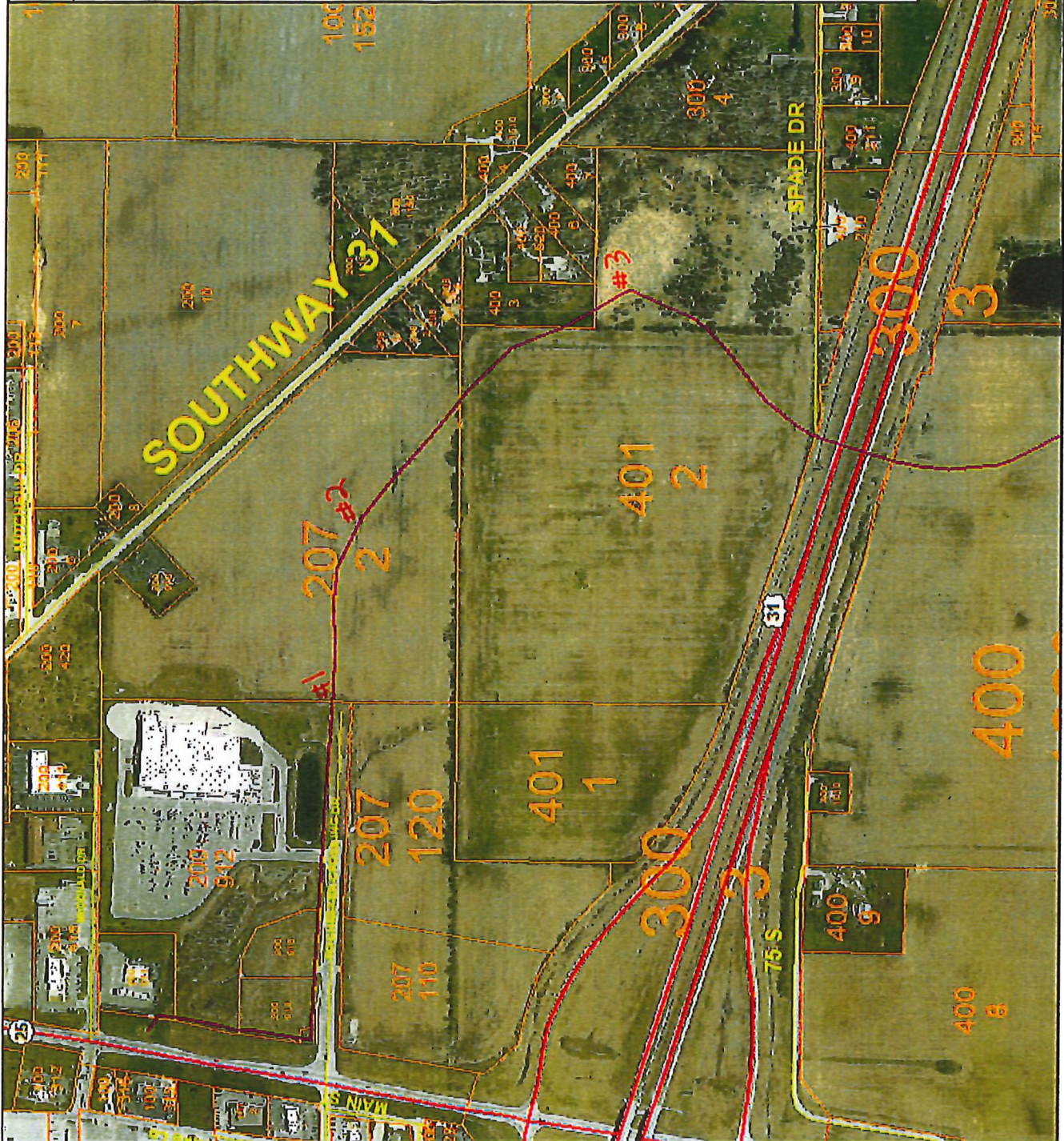
MIXED USE CONCEPT
ROCHESTER, IN

DATE: 01/15/2022
DRAWN BY: ASHFIELD
CHECKED BY: [blank]
SCALE: [blank]
SHEET: 21-143
PROJECT: [blank]
CONCEPT

- Parcels
- Water
- Roads
- Highways
- Tilt Ditch

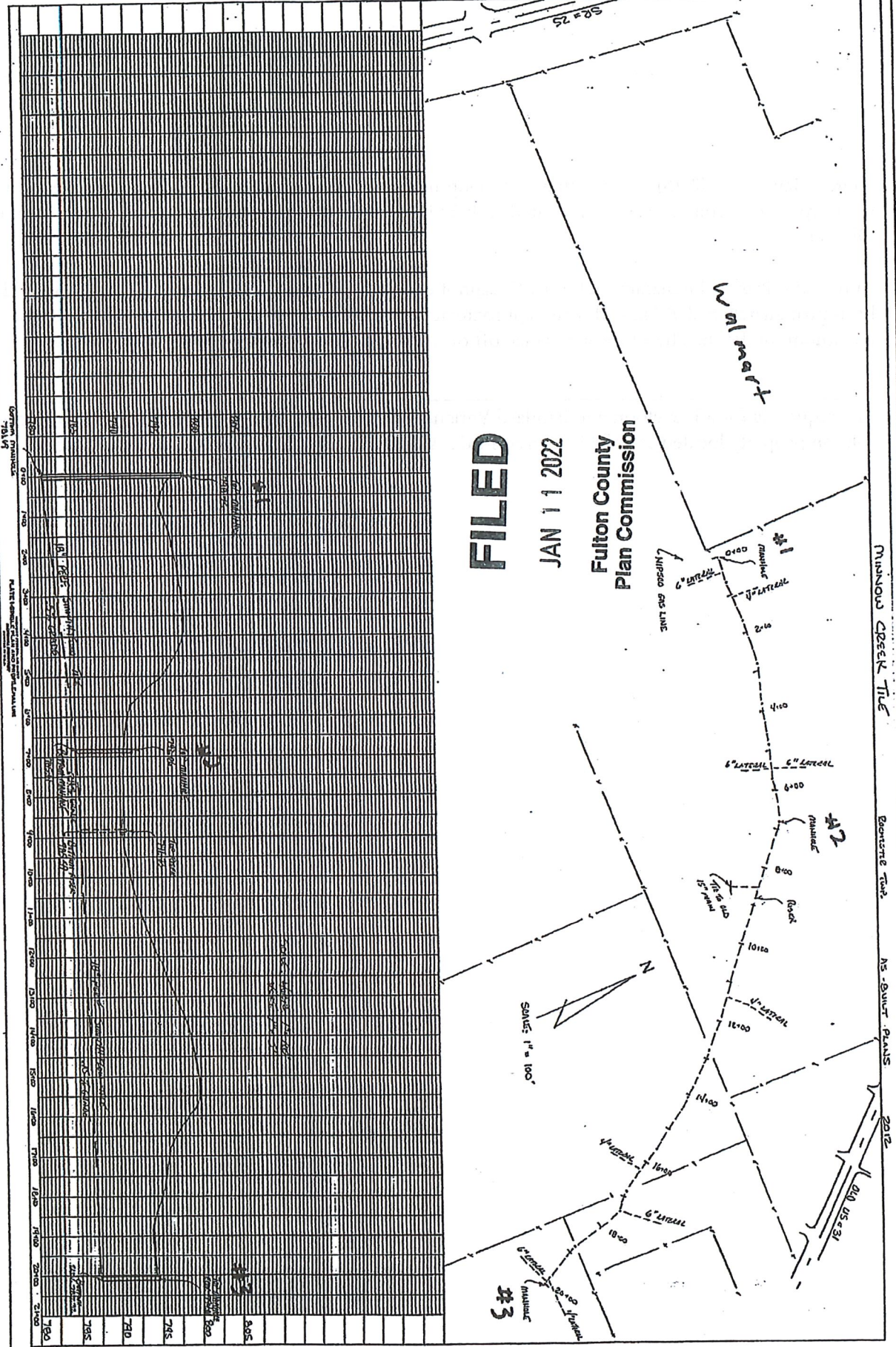
20
ORIGINAL

FILED
 JAN 11 2022
 Fulton County
 Plan Commission



PROFILE	DATE	BY	CHKD
DATE LOGG	1/11/2022	W. J. [unclear]	[unclear]
DATE LOGG	1/11/2022	W. J. [unclear]	[unclear]
DATE LOGG	1/11/2022	W. J. [unclear]	[unclear]

PLAN	DATE	BY	CHKD
DATE LOGG	1/11/2022	W. J. [unclear]	[unclear]
DATE LOGG	1/11/2022	W. J. [unclear]	[unclear]
DATE LOGG	1/11/2022	W. J. [unclear]	[unclear]



FILED
 JAN 11 2022
 Fulton County
 Plan Commission

*Note: #1, 2, & 3 are stand pipes.
 There are at least 10 laterals off of this main.*

NINHOUS CREEK TIE

BOONVILLE TWP.

15-BURR PLANS

2012

ALL USES

#3

SCALE: 1" = 100'

N

SR #25

Walmart

NINHOUS GAS LINE

6" LATERAL

6" LATERAL

6" LATERAL

6" LATERAL

6" LATERAL

6" LATERAL

6" LATERAL

6" LATERAL

6" LATERAL

6" LATERAL



Fee Summary Paid Totals

12/01/2021 - 12/31/2021

Fee Name	Fee Description	Account Number	Total Amount	Total Fees
Group: 1001.20301.000.0036				
A. County, Akron, & Town of Fulton Residential - Inspection Fee	Enter Number of Inspections	1001.20301.000.0036	\$2,003.15	11
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.20301.000.0036	\$499.09	11
A-1. COUNTY, AKRON, & TOWN OF FULTON ELECTRICAL PERMIT		1001.20301.000.0036	\$240.00	6
A-2. County, Akron, & Town of Fulton COMMERCIAL - Inspection Fee	Enter Number of Inspections	1001.20301.000.0036	\$480.00	3
A-2. County, Akron, & Town of Fulton COMMERCIAL-Permit Fee		1001.20301.000.0036	\$70.00	3
			\$3,292.24	34

Group Total: 5

Group: 1001.20302.000.0036

B. City of Rochester Residential Permit Fee		1001.20302.000.0036	\$96.80	5
B-1. City of Rochester Residential-Inspection Fee	Enter Number of Inspections	1001.20302.000.0036	\$240.00	5
B-2. CITY OF		1001.20302.000.0036	\$20.00	1

ROCHESTER ELECTRICAL PERMIT				
B-3. City of Rochester COMMERCIAL Permit Fee		1001.20302.000.0036	\$86.50	2
B-4. City of Rochester COMMERCIAL-Inspection Fee		1001.20302.000.0036	\$160.00	3
			\$603.30	16

Group Total: 5

Group: 1001.20303.000.0036

BZA. Development Standard Variance		1001.20303.000.0036	\$525.00	3
BZA. Special Exception		1001.20303.000.0036	\$350.00	2
ZO. LIP		1001.20303.000.0036	\$800.00	16
ZO. Solar Array- Small		1001.20303.000.0036	\$240.00	3
			\$1,915.00	24

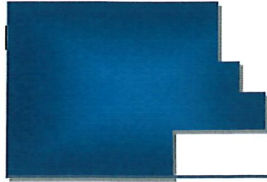
Group Total: 4

			\$5,810.54	74
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Total Records: 14

Page: 1 of 1

1/5/2022



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

[AppLabel] Fe

12/01/2021 - 12/31/2021

Fee Date	Account Number	Contractor Name	Fee Name	Paid By	Fee Amount	Payment Type	Payment Date	Receipt #
12/29/2021	1001.20302.000.0036	Quality Plumbing & Heating, Inc	Plumbing Registration Renewal Fee	Applicant	10.00	Check	12/29/2021	127
12/14/2021	1001.20302.000.0036	Small's Maintenance & Electrical	Electrical Registration Fee	Applicant	10.00	Cash	12/14/2021	120
12/13/2021	1001.20302.000.0036	E.M. Company	Electrical Registration Fee	Applicant	10.00	Check	12/13/2021	118
12/13/2021	1001.20302.000.0036	E.M. Company	Plumbing Registration Renewal Fee	Applicant	10.00	Check	12/13/2021	118
12/21/2021	1001.20302.000.0036	Nelson's Plumbing	Plumbing Registration Renewal Fee	Applicant	10.00	Cash	12/21/2021	122
12/13/2021	1001.20302.000.0036	Bender Electrical	Electrical Registration Fee	Applicant	10.00	Check	12/13/2021	119
12/2/2021	1001.20302.000.0036	Cummins Electric	Electrical Registration Fee	Applicant	10.00	Cash	12/2/2021	115
12/6/2021	1001.20302.000.0036	Steve Craft	Electrical Registration Fee	Applicant	10.00	Cash	12/6/2021	116
12/6/2021	1001.20302.000.0036	Shambaugh & Sons	Electrical Registration Fee	Applicant	10.00	Check	12/6/2021	117
12/20/2021	1001.20302.000.0036	Omni Electric	Electrical Registration Fee	Applicant	10.00	Check	12/20/2021	121
12/27/2021	1001.20302.000.0036	Live Oak Electric, LLC	Electrical Registration Fee	Applicant	10.00	Check	12/27/2021	123
12/27/2021	1001.20302.000.0036	D&K Electric, LTD	Electrical Registration Fee	Applicant	10.00	Check	12/27/2021	124
12/27/2021	1001.20302.000.0036	Shideler Electric & Heating	Electrical Registration Fee	Applicant	10.00	Check	12/27/2021	125
12/29/2021	1001.20302.000.0036	Elite Contracting Services	Electrical Registration Fee	Applicant	10.00	Check	12/29/2021	126
					140.00			

Total Records: 14

1/3/2022

Page: 1 of 1

**AREA PLAN COMMISSION OFFICE
2021 YEAR END REPORT**

Total Permits Issued in 2021: 941

Building/Electrical Permits: 530
Location Improvement Permits: 383
Government Work Order 28
Electrical Registrations: 54
Plumbing Registrations: 26

Total Permits Issued in 2020: 806

Building/Electrical Permits: 434
Location Improvement Permits: 372
Electrical Registrations: 60
Plumbing Registrations: 17

2021 Permits Issued

<p><u>Henry Twp~116</u> Building/Electrical Permits 66 Location Improvement Permits 50 1-New Dwellings</p>	<p><u>Town of Akron~42</u> Building/ Electrical Permits 27 Location Improvement Permits 15 0-New Dwellings</p>
<p><u>Rochester Twp~497</u> Building/ Electrical Permits 279 Location Improvement Permits 190 Government Work Order 28 13-New Dwellings</p>	<p><u>City of Rochester ~327</u> Building/ Electrical Permits 179 Location Improvement Permits 120 Government Work Order 28 6-New Dwellings</p>
<p><u>Liberty Twp ~82</u> Building/ Electrical Permits 51 Location Improvement Permits 31 3-New Dwellings</p>	<p><u>Town of Fulton~ 8</u> Building/ Electrical Permits 7 Location Improvement Permits 1 0-New Dwellings</p>
<p><u>Union Twp~51</u> Building/ Electrical Permits 27 Location Improvement Permits 24 3-New Dwellings</p>	<p><u>Town of Kewanna~5</u> Building/ Electrical Permits 0 Location Improvement Permits 5 0-New Dwellings</p>
<p><u>Aubbeenaubbe Twp ~ 50</u> Building/ Electrical Permits 26 Location Improvement Permits 24 2-New Dwellings</p>	<p><u>Richland Twp~58</u> Building/ Electrical Permits 33 Location Improvement Permits 25 6-New Dwellings</p>
<p><u>Newcastle Twp ~55</u> Building/ Electrical Permits 32 Location Improvement Permits 23 0-New Dwellings</p>	<p><u>Wayne Twp~32</u> Building/ Electrical Permits 16 Location Improvement Permits 16 0-New Dwellings</p>

Total Splits Approved~57

7~ Aubbeenaubbe Twp
12~Henry Twp
3~Liberty Twp
9~Newcastle Twp

4~Richland Twp
12~Rochester Twp
4~Union Twp
6~Wayne Twp

Plan Commission Petitions: 3
TRC: 8

BZA Petitions: 61

- **Development Standard Variances~53**
 - 36 City of Rochester
 - 16 Fulton County
 - 1 Akron
 - 0 Fulton/Kewanna

- **Special Exceptions~8**
 - 1 City of Rochester
 - 6 Fulton County
 - 0 Akron
 - 1 Fulton/Kewanna

2021

Total Plan Commission & Building Fees Collected	\$101,458.89
Location Improvement Permits, Petition Applications and copies	\$36,669.34
Fines	\$5,028.00
Fulton County Building Permit Fees	\$42,756.38
City Building Permit Fees and Registration Fees	\$17,005.17

2020

Total Plan Commission & Building Fees Collected	\$62,500.78
Location Improvement Permits, Petition Applications and copies	\$25,830.70
Fines	\$4,731.00
Fulton County Building Permit Fees	\$20,312.80
City Building Fees and Registration Fees	\$11,626.28