

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

ROCHESTER CITY HALL
320 MAIN ST.
ROCHESTER, IN 46975

WEDNESDAY, MAY 25, 2022
6:00 P.M.

CALL TO ORDER

BOARD OF ZONING APPEALS MINUTES FOR:

APRIL 27, 2022

OLD BUSINESS:

NEW BUSINESS:

Monty Hoffman (#220200)

Anthony Hayden (#220214)

Kenneth Kotouc (#220152)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

**ROCHESTER CITY BOARD OF ZONING APPEALS
APRIL 27, 2022**

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BOARD OF ZONING APPEALS**

WEDNESDAY, APRIL 27, 2022

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

CALL TO ORDER

BOARD OF ZONING APPEALS MINUTES FOR:

MARCH 23, 2022

OLD BUSINESS:

NEW BUSINESS:

David Roe (#220102)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

ROCHESTER CITY BOARD OF ZONING APPEALS
APRIL 27, 2022

The Rochester City Board of Zoning Appeals met on Wednesday the 27th day of April 2022, at 6:00 P.M. in the Council Chambers located in the City Hall. Vice Chairperson, Teresa Houser, called the meeting to order at 6:00 P.M. The following members were present: Paul Zartman, Gloria Carvey and Teresa Houser. Also in attendance were: Executive Director, Heather Redinger; Attorney, Andy Perkins, and Administrative Secretary, Kim Gard.

It is duly noted that Duane Border and Dan Shafer were not present.

IN RE: MEETING MINUTES

March 23, 2022

Teresa Houser asked the Board for any deletions, or corrections to be made to the March 23, 2022 minutes. Paul Zartman moved to approve the March 23, 2022 Rochester City Board of Zoning Appeals minutes as written. Gloria Carvey seconded the motion. Motion carried as follows: Paul Zartman, Gloria Carvey and Teresa Houser, being in favor and no one opposing.

IN RE: NEW BUSINESS

David Roe (#220120)

David Roe (#220120) is requesting development standard variance off of the minimum lot width and minimum lot area for the purpose of a split on property located at, 2132 Boulevard St. Rochester IN, within Lake Residential (R3) district.

In the R3 district the minimum lot width is 60' (with sewer hookup) and the lot area is 6000 sf. The proposed lot will approximately 45' x 56.52'. The total lot area will be approximately 2719'. Therefore, a variance of 15' off the minimum lot width and 3281 sf off the minimum lot area are being requested.

Teresa asked the petitioner if he had anything further to add.

They did not at this time.

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

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

Lucas Conner, V & P Enterprises LLC - 2134 Boulevard St., stated he was concerned with a large building being put on an undersized lot adjoin his lot where he couldn't build on his land because then the buildings would be too close together, he also had concerns with water drainage. He is also concerned with the smaller lot size decreasing his property value.

Gloria asked about drainage.

Heather stated all structures being built need drainage approval.

Heather then reminded the Board they are not there to discuss a garage just the lot size.

Teresa asked if the split rail fence sat on the property line.

ROCHESTER CITY BOARD OF ZONING APPEALS
APRIL 27, 2022

David stated no the property line is approximately 2' to the north of the fence.

Gloria asked if the fence would have to come down to build on the lot.

David stated that would be the buyer's option.

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

Teresa asked for Board discussion.

Gloria stated this is a difficult decision with an under size lot in an already tight area. Personally I do not want the across the roads to turn in to garage city when I believe it would be better suited to housing. An under size lot does decrease the value of surrounding properties. Paul stated we are focusing on the lot size, not taking in to account the garage, I don't see a problem with the variance proposed.

Heather stated the Board has the option to table the petition until there is a full Board present.

Gloria stated she felt it best to table the petition until there is a full Board.
Paul agreed.

Being no further questions or comments, Teresa entertained a motion. Paul Zartman moved to table David Roe (#220120) is requesting development standard variance off of the minimum lot width and minimum lot area for the purpose of a split on property located at, 2132 Boulevard St. Rochester IN, within Lake Residential (R3) district. Gloria seconded the motion.

Administrative Secretary Kim Gard conducted roll call vote.

Paul Zartman	Yea
Gloria Carvey	Yea
Teresa Houser	Yea

Motion to table David Roe (#220120) is requesting development standard variance off of the minimum lot width and minimum lot area for the purpose of a split on property located at, 2132 Boulevard St. Rochester IN, within Lake Residential (R3) district. Passed with 4 votes being in favor and no one opposed.

IN RE: PLAN DIRECTOR'S REPORT

Being no further business to come in front of the Board of Zoning Appeals, Teresa Houser, entertained a motion to adjourn the April 27, 2022 Rochester City Board of Zoning Appeals meeting. Teresa Houser moved to adjourn the April 27, 2022 Rochester City Board of Zoning Appeals meeting at 6:20 P.M. Paul Zartman seconded the motion. Motion carried as follows: Paul Zartman, Gloria Carvey and Teresa Houser being in favor and no one opposed.

ROCHESTER CITY BOARD OF ZONING APPEALS

ROCHESTER CITY BOARD OF ZONING APPEALS
APRIL 27, 2022

ATTEST: _____
Kim Gard, Administrative Secretary

**Docket #220200
Monte Hoffman
Development Standard Variance**

Monte Hoffman (#220200) is requesting development standard variances of 5' off of the parking lot standard setbacks and vegetative buffer requirements, to pave the entire parking lot, on property located at, 401 Main St., 415 Main St., and East 4th St., Rochester IN. Also requesting a variance to allow a free standing sign on property located at 415 Main St. within Historical Downtown Commercial (HD) District.

In the HD district parking lots shall be located a minimum of 5' from the front, side and rear property lines and have a vegetative buffer. Mr. Hoffman has been in contact with the City regarding paving all the way to the edge of the road, as we cannot grant a variance in the Right of Way. The Historical Downtown Commercial district does not allow free standing signs. Mr. Hoffman would like to relocate the existing free standing sign, from the northern parking lot to 415 Main St. Therefore, variances off the parking standards and to allow a free standing sign are being requested.

The request is for a Development Standard Variances of 5' off of the parking lot standard setbacks and vegetative buffer requirements, to pave the entire parking lot, on property located at, 401 Main St., 415 Main St., and East 4th St., Rochester IN. Also requesting a variance to allow a free standing sign on property located at 415 Main St. within Historical Downtown Commercial (HD) 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,

Monte Hoffman # 220200

Located at: E 4th St., 401 Main St., 415 Main St., 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
Warren JR & Deborah D Tatter	PO Box 256 Rochester, IN 46975	GC ✓
Rochester Church of Christ	120 E 5th St Rochester, IN 46975	GC ✓
Good Oil Company Inc	1201 N US 354 Winamac, IN 46996	GC ✓
City Of Rochester	320 Main St Rochester, IN 46975	GC ✓

- lighting) and shall be no more than twenty (20) feet in height.
- D. All free standing lights and lights mounted on walls or facades must have cutoff luminaires with less than a ninety degree angle.-
 - E. All lights within a single development must uses consistent style, design, height, size and color throughout the development.
 - F. All lighting from a property must not cause illumination beyond the property line of that property (at .5 foot candles). The only exception to this standard is as follows:
 - a. when the subject property is business and the adjacent property is zoned for business or industrial the allowable light at the property line is one (1.0) foot candles (only on sides of the property that are adjacent to the similar Zoning District) .
 - b. when the subject property is industrial and the adjacent property is zoned for industrial the allowable light at the property line is two and one half (2.5) foot candles (only on sides of the property that are adjacent to the similar Zoning District).
 - G. Measurements shall be taken along any property line of the subject property with a light meter facing the center of the property at a height of six (6) feet.

5-6.6 Parking Standards (PK)

- PK-01 All parking lots for institutional businesses, public and private employee parking, offices, organizations, and places of assembly must be paved with asphalt or concrete within the incorporated limits of the City of Rochester. All other jurisdictions under the authority of this Zone Ordinance are required to pave with asphalt, concrete, gravel, stone, rock, or dust-free material as approved by plan commission, except for special events permitted throughout the year. Dirt, sand or grass is not permitted as a parking surface, except for special events permitted throughout the year that may require spill over parking. Expansion of any parking lot surface will comply with the current Zone Ordinance. In addition, these parking lots, in relation to the facility's normal activities, must also conform to all the following requirements:
- A. All ingress/egress into parking areas must be paved with asphalt or concrete within the incorporated limits of the City of Rochester. All other jurisdictions under the authority of this Zone Ordinance are required to pave with asphalt, concrete, or other durable, dust-free material.
 - B. Parking lots shall be located a minimum of 5' from the road right-of-way, side, and rear property line. All of the area within the 5' setback will be sustained as a vegetative buffer between the lot lines and the parking lot.
 - C. Parking lots with more than one parking aisle, or designed greater than, or equal to, four-tenths (.4) of an acre, 17,424 square feet, will have interior vegetative buffers installed. The interior vegetative buffers shall be in the form of pedestrian walkways between parking isles, strips or islands planted in the form of some combination of trees, shrubs, and/or grass. Vegetative Islands shall be placed at the end of each parking aisle containing 20 or more parking spaces.
 - D. Parking spaces shall be a minimum of 9' x 18' and be striped so as to show each parking space.
 - E. Parking aisle widths shall be as follows:
 - a. 90 degree angle space - 24' wide parking aisle
 - b. 60 degree angle space - 18' wide parking aisle
 - c. 45 degree angle space - 14' wide parking aisle
 - F. Be designed as to prevent vehicles from having to maneuver in the public right-of-way.
 - G. All components of a parking lot must be ADA compliant.
 - H. Be constructed to allow proper drainage.
 - I. Parking spaces described in this Rule must be located either on the premises or on a lot approved by the Plan Commission. All required off-street parking spaces, however, must be located within six-hundred (600) feet of the respective lot.
 - J. A group of adjacent properties may provide a joint parking area if the number of spaces





**Tatter Travel
331 Main Street
Rochester, IN 46975**

MAY 4, 2022

FULTON COUNTY PLAN COMMISSION
125 E 9TH STREET
ROCHESTER, IN 46975

RE: MONTY HOFFMAN DOCKET #220200

TO WHOM IT MAY CONCERN

DEBBIE AND I HAVE NO PROBLEM WHATSOEVER FOR MONTY'S VARIANCE REQUEST

THANK YOU

WARREN TATTER

SECRETARY

DEBORAH TATTER

PRESIDENT

FILED

MAY 09 2022

**Fulton County
Plan Commission**

- Parcels
- City Town Boundary
- Sections
- Addresses
- ▲ Permits - Primary
- ▲ Permits - Commercial
- Bldg Permits
- Parcels
- Sections
- Highways
- Roads
- Tippecanoe River
- Permits - Access
- Permits - Comm



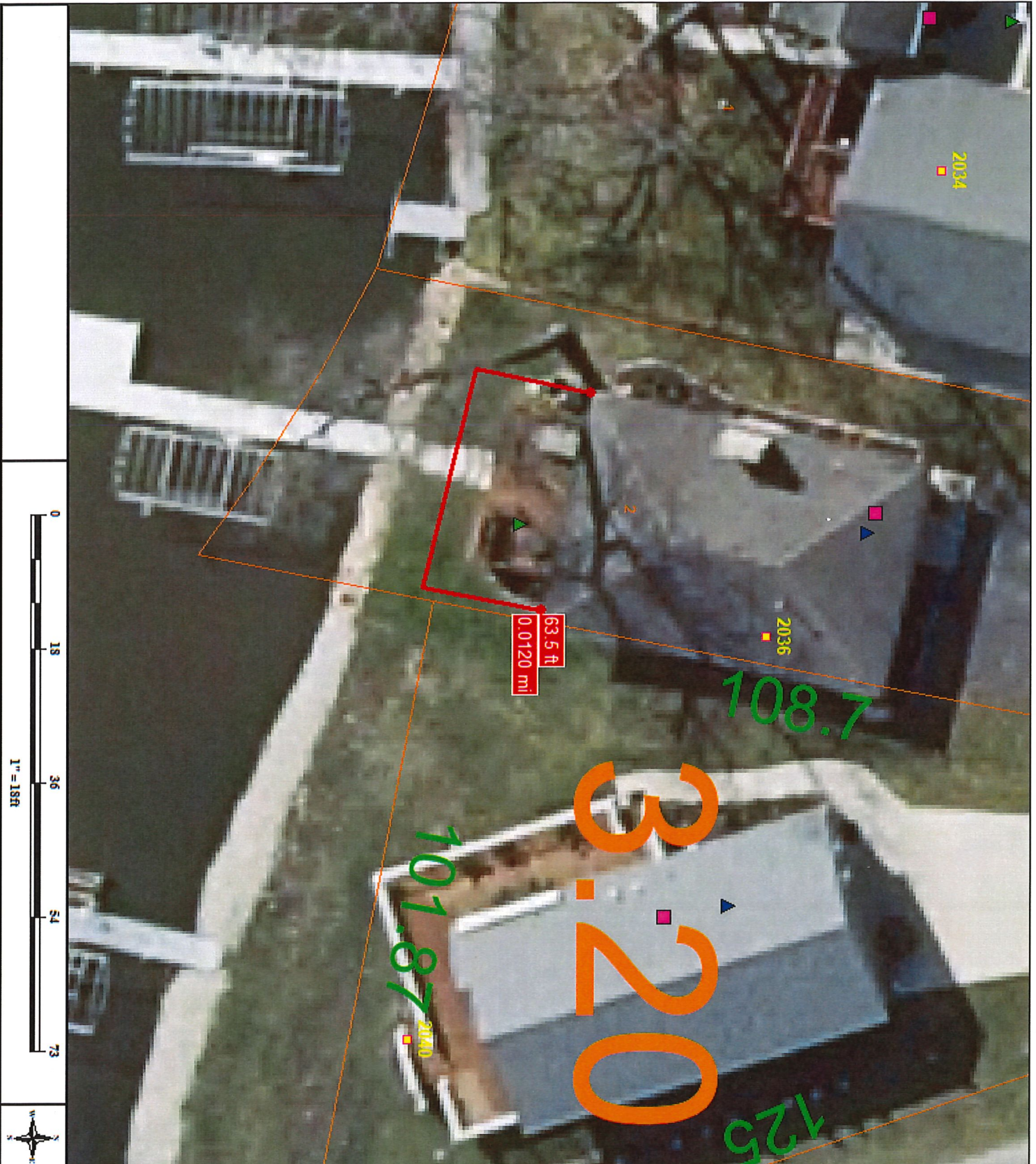
1" = 77ft

**Docket #220214
Anthony Hayden
Development Standard Variance**

Anthony Hayden (#220214) is requesting a Development Standard Variance of 15' off of the rear/lake side setback, for the purpose of an attached, covered porch on property located at, 2036 White Creek Dr. Rochester IN, within Lake Residential (R3) district.

In the R3 district the rear/lake yard setback is 25'. Mr. Hayden would like to construct an attached 30' x 16' porch that would sit approximately 10' off of the rear/lake side. Therefore, a variance off the rear/lake yard setback is being requested.

The request is for a Development Standard Variance of 15' off of the rear/lake side setback on property located at, 2036 White Creek Dr. Rochester IN, within Lake Residential (R3) district.



Parcels
 City Town Boundary
 Sections
 ROW Presentation

Addresses
 Permits - Primary
 Permits - Accessory
 Bldg Permits

Parcels
 Highways
 Roads
 Tippecanoe River

THINK



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,



Anthony Hayden # 220214

Located at: 2036 White Creek 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
George Jr & Miriam Bokan	2040 White Creek Dr Rochester, IN 46975	
Carvey Properties LLC	P.O. Box 127 Rochester, IN 46975	

**Docket #220152
Kenneth Kotouc
Development Standard Variance**

Kenneth Kotouc (#220152) is requesting Development Standard Variance off the side yard setbacks, and an additional 30% of impervious surface for the purpose of an attached two story garage on property located at, 2311 Poets Dr. Rochester IN, within Lake Residential (R3) district.

In the R3 district the side yard setback is 8' for a primary structure and the maximum impervious surface cannot be greater than 60% of lot area. Mr. Kotouc would like to construct a 30' x 36' x 30' attached garage. The proposed project will sit approximately 2' off of each side yard and the impervious surface would be approximately 90%. Therefore, a variances of 6' off of each side yard setback, and an additional 30% of maximum impervious surface, are being requested.

The request is for a Development Standard Variance off the side yard setbacks, and impervious surface for the purpose of an attached two story garage on property located at, 2311 Poets Dr. Rochester IN, within Lake Residential (R3) district.



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

- Addresses
- ▲ Permits - Accessory

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

THINK



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,

Kenneth Kotouc # 220152

Located at: 2311 Poets 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
Steven L & Alice C Bowyer	20 North Park Peru, IN 46970	✓
Gerald T Dible Trust	2303 Poets Drive Rochester, IN 46975	<i>Gerald T Dible</i>
Julia F Crane Living Trust	316 Glendale Hinsdale, IL 60521	✓
Landis Kimberlie Irrevocable Trust; Carroll Mendi L & Carroll Cassandra D; Co- Trustees	2307 Poets Dr Rochester, IN 46975	<i>Kimberlie Landis</i>



Fee Summary Paid Totals

04/01/2022 - 04/30/2022

Fee Name	Fee Description	Account Number	Total Amount	Total Fees
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Group: 1001.20301.000.0036

A. County, Akron, & Town of Fulton Residential - Inspection Fee	Enter Number of Inspections	1001.20301.000.0036	\$2,690.20	26
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.20301.000.0036	\$551.50	26
A-1. COUNTY, AKRON, & TOWN OF FULTON ELECTRICAL PERMIT		1001.20301.000.0036	\$160.00	4
A-2. County, Akron, & Town of Fulton COMMERCIAL - Inspection Fee	Enter Number of Inspections	1001.20301.000.0036	\$120.00	1
A-2. County, Akron, & Town of Fulton COMMERCIAL-Permit Fee		1001.20301.000.0036	\$50.05	1
A-3. County, Akron, & Town of Fulton Permit Renewal		1001.20301.000.0036	\$50.50	1
			\$3,622.25	59

Group Total: 6

Group: 1001.20302.000.0036

B. City of Rochester Residential Permit Fee		1001.20302.000.0036	\$277.00	16
B-1. City of	Enter Number	1001.20302.000.0036	\$471.00	16

Rochester Residential-Inspection Fee	of Inspections			
B-2. CITY OF ROCHESTER ELECTRICAL PERMIT		1001.20302.000.0036	\$80.00	4
B-3. City of Rochester COMMERCIAL Permit Fee		1001.20302.000.0036	\$1,014.90	5
B-4. City of Rochester COMMERCIAL-Inspection Fee		1001.20302.000.0036	\$420.00	5
			\$2,262.90	46

Group Total: 5

Group: 1001.20303.000.0036

BZA. Development Standard Variance		1001.20303.000.0036	\$875.00	5
ZO. LIP		1001.20303.000.0036	\$1,800.00	36
ZO. Signs	Enter Square Feet	1001.20303.000.0036	\$180.00	2
ZO. Solar Array- Micro		1001.20303.000.0036	\$40.00	1
ZO. Solar Array- Small		1001.20303.000.0036	\$240.00	3
			\$3,135.00	47

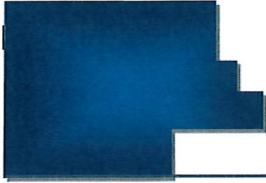
Group Total: 5

			\$9,020.15	152
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Total Records: 16

Page: 1 of 1

5/4/2022



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

04/01/2022 - 04/30/2022

Fee Date	Account Number	Contractor Name	Fee Name	Paid By	Fee Amount	Payment Type	Payment Date	Receipt #
4/7/2022	1001.20302.000.0036	Miller Bros. Construction LLC	Electrical Registration Fee	Applicant	10.00	Check	4/11/2022	140
4/1/2022	1001.20302.000.0036	All-IN Enterprises, LLC	Electrical Registration Fee	Applicant	10.00	Cash	4/1/2022	139
4/19/2022	1001.20302.000.0036	MWA Plumbing	Plumbing Registration Renewal Fee	Applicant	10.00	Cash	4/19/2022	141
					30.00			

Total Records: 3

5/4/2022

Page: 1 of 1