

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

ROCHESTER CITY HALL
320 MAIN ST.
ROCHESTER, IN 46975

WEDNESDAY, AUGUST 24, 2022
6:00 P.M.

CALL TO ORDER

BOARD OF ZONING APPEALS MINUTES FOR:

JULY 27, 2022

OLD BUSINESS:

NEW BUSINESS:

Kyle Smith (#220511)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

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

**ROCHESTER CITY
BOARD OF ZONING APPEALS**

WEDNESDAY, JULY 27, 2022

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

CALL TO ORDER

BOARD OF ZONING APPEALS MINUTES FOR:

JUNE 22, 2022

OLD BUSINESS:

NEW BUSINESS:
Kyle Smith (#220398)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

ROCHESTER CITY BOARD OF ZONING APPEALS
JULY 27, 2022

The Rochester City Board of Zoning Appeals met on Wednesday the 27th day of July 2022, 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: Gloria Carvey, Teresa Houser, Paul Zartman and Duane Border. Also in attendance were: Executive Director, Heather Redinger and Administrative Secretary, Kim Gard.

It is duly noted that Dan Shafer was not present.

IN RE: MEETING MINUTES

June 22, 2022

Duane Border asked the Board for any deletions, or corrections to be made to the June 22, 2022 minutes. Gloria Carvey moved to approve the June 22, 2022 Rochester City Board of Zoning Appeals minutes as read. Paul Zartman seconded the motion. Motion carried as follows: Gloria Carvey, Teresa Houser, Paul Zartman and Duane Border, being in favor and no one opposing.

IN RE: NEW BUSINESS

Kyle Smith (#220398)

Kyle Smith (#220398) is requesting a Development Standard Variance of 2' off of the side yard setbacks, for the purpose of a new home, on property located at, 2311 West Side Rd. Rochester IN, within Lake Residential (R3) district.

In the R3 district, the side yard setback is 8' for a primary structure. Mr. Smith would like to remove the current home and construct a new home. The proposed home would sit approximately 6' off of the east side and 6.5' off of the west side. Therefore, a variance off of each side yard setback is being requested.

*The current home sits approximately 6' off of the east property line and the south portion of the west side of the home sits less than 1' off the west property line. The new home would be situated more in the center of the lot and have more distance between the house on the west side.

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

They did not at this time.

Being no further questions at this time, Duane Border 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: Gloria Carvey, Teresa Houser, Paul Zartman 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 further public questions or comments, 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: Gloria Carvey, Teresa Houser, Paul Zartman 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. Teresa Houser moved to approve

ROCHESTER CITY BOARD OF ZONING APPEALS
JULY 27, 2022

Kyle Smith (#220398) requesting a Development Standard Variance of 2' off of the side yard setbacks, for the purpose of a new home, on property located at, 2311 West Side Rd. Rochester IN, within Lake Residential (R3) district.. Paul Zartman seconded the motion.

Administrative Secretary Kim Gard conducted roll call vote.

Paul Zartman	Yea
Gloria Carvey	Yea
Teresa Houser	Yea
Duane Border	Yea

Motion to approve Kyle Smith (#220398) requesting a Development Standard Variance of 2' off of the side yard setbacks, for the purpose of a new home, on property located at, 2311 West Side Rd. Rochester IN, within Lake Residential (R3) district. Passed with four votes being in favor and no one opposed.

Brian Lewis, contractor for Mr. Smith, if a decision is made later, during the build, to put a roof over the deck, will it be necessary for them to file for another variance.

Heather spoke with Board Attorney, Andy Perkins, can we put a condition on the petition to allow them to put a roof over the deck with no walls.

Andy stated if a roof over the deck was not part of the original request then no conditions regarding a possible roof can be put on the original request. However, they can amend the original request to include a roof over the deck but will still have to notify the neighbors.

IN RE: PLAN DIRECTOR'S REPORT

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

ROCHESTER CITY BOARD OF ZONING APPEALS

ATTEST: _____
Kim Gard, Administrative Secretary

Docket #220511
Kyle Smith
Development Standard Variance

Kyle Smith (#220511) is requesting a Development Standard Variance of approximately 12' off of the lake yard setbacks, for the purpose of a covered deck, on property located at, 2311 West Side Rd. Rochester IN, within Lake Residential (R3) district.

In the R3 district, the lake yard setback is 25' for a primary structure. Mr. Smith would like to construct a covered 10' x 25' deck which would sit approximately 13' off the lake side. Therefore, a variance of 12' off of the lake yard setback is being requested.

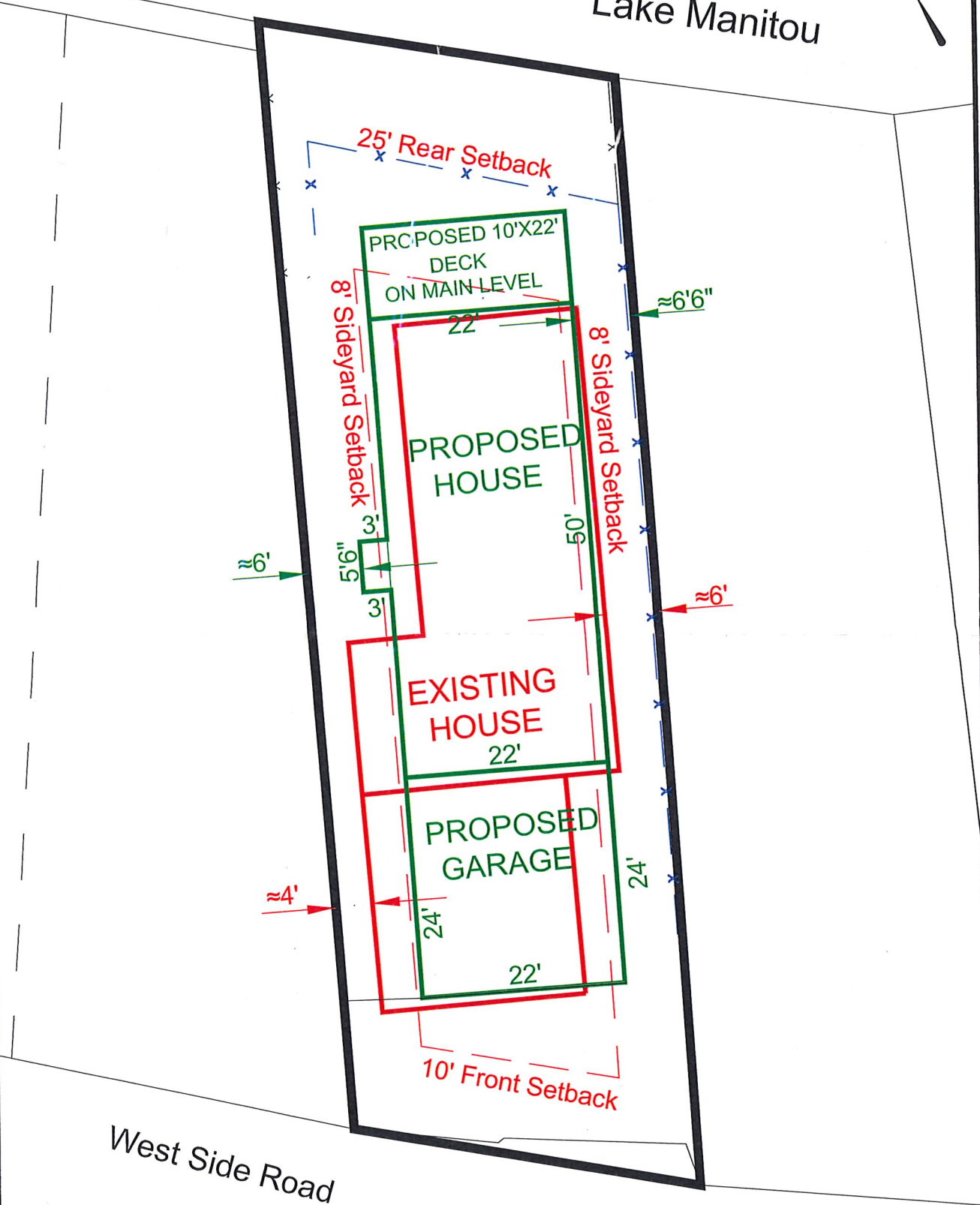
The request is for a Development Standard Variance of approximately 12' off of the lake yard setbacks, for the purpose of an attached covered deck, on property located at, 2311 West Side Rd. Rochester IN, within Lake Residential (R3) district.

Proposed Building

Lot No. 44 & 9' wedge in Fox Park, Lake Manitou



Lake Manitou



West Side Road



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



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 JULY 10, 2022 IN ACCORDANCE WITH IAC 865, 1.1-12. 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.

REGISTERED LAND SURVEYOR'S

SIGNATURE _____

SETH A WHITE
 IND. REG. NO. 21200024

Date: July 10, 2022

Project Number : 220702

Scale: 1" = 10'

Prepared by: Seth White

SHEET 1 OF 1

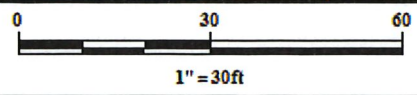
Job Name: RezoFoxPark



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

- Addresses
- Permits - Primary
- Bldg Permits

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



Fulton County Plan Commission
125 E. 9th Street
Rochester, Indiana 46975
Phone (574) 223.7667
Fax (574) 223.3652

Affidavit of Notice to Interested Parties of Public Hearing Before the Rochester City Board of Zoning Appeals

I, Kyle Smith do hereby certify that notice to interested parties of the public hearing before the Rochester City Board of Zoning Appeals, to consider the application of:

Kyle Smith
Docket #220511

Requesting: A Development Standard Variance on property located within Lake Residential (R3) District.

Located at:
2311 West Side Rd., Rochester IN

Interested Parties Associated with the Property

Michael W Downing <i>Michael W Downing</i>	2313 Westside Rd Rochester, IN 46975
Larry D & Irene F Rolland <i>Larry D & Irene F Rolland</i>	2307 Westside Rd Rochester, IN 46975
Stephen A Overmyer <i>Stephen A Overmyer</i>	PO Box 933 Rochester, IN 46975

And that said notices were sent by certified mail on or before the 30th day of July 2022, being at least twenty five (25) days prior to the date of the Public Hearing, and/or

The interested party's signatures were obtained and written on a form supplied by the Plan Commission on or before the 14th day of August 2022, being at least ten (10) days prior to the date of the Public Hearing.

Dated the 7th day of August, 2022.

Kyle Smith

<APPLICANT>

NOTARY:

State of Indiana)
County of Fulton) SS:
Subscribed and sworn to before me this _____ day of _____, _____

Notary Public _____, _____
Notary Public, Signed Printed Name

Residing in _____ County My Commission expires _____



Fee Summary Paid Totals

07/01/2022 - 07/31/2022

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	\$2,138.20	20
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.20301.000.0036	\$748.74	20
A-1. COUNTY, AKRON, & TOWN OF FULTON ELECTRICAL PERMIT		1001.20301.000.0036	\$80.00	2
A-2. County, Akron, & Town of Fulton COMMERCIAL - Inspection Fee	Enter Number of Inspections	1001.20301.000.0036	\$160.00	2
A-2. County, Akron, & Town of Fulton COMMERCIAL-Permit Fee		1001.20301.000.0036	\$25.00	2
			\$3,151.94	46

Group Total: 5

Group: 1001.20302.000.0036

B. City of Rochester Residential Permit Fee		1001.20302.000.0036	\$152.50	11
B-1. City of Rochester Residential-Inspection Fee	Enter Number of Inspections	1001.20302.000.0036	\$380.00	10
B-2. CITY OF		1001.20302.000.0036	\$40.00	2

ROCHESTER ELECTRICAL PERMIT				
B-3. City of Rochester COMMERCIAL Permit Fee		1001.20302.000.0036	\$20.00	2
B-4. City of Rochester COMMERCIAL-Inspection Fee		1001.20302.000.0036	\$60.00	2
B-5. City of Rochester Residential-Renewal		1001.20302.000.0036	\$5.00	1
			\$657.50	28

Group Total: 6

Group: 1001.20303.000.0036

BZA. Development Standard Variance		1001.20303.000.0036	\$700.00	4
BZA. Special Exception		1001.20303.000.0036	\$175.00	1
PC. County Residential Primary Plat	Enter number of lots	1001.20303.000.0036	\$750.00	1
PC. Residential Secondary Plat - All Jurisdictions		1001.20303.000.0036	\$100.00	1
ZO. LIP		1001.20303.000.0036	\$1,550.00	31
ZO. Signs	Enter Square Feet	1001.20303.000.0036	\$222.00	1
ZO. Site Plan Review - TRC		1001.20303.000.0036	\$175.00	1
ZO. Solar Array- Small		1001.20303.000.0036	\$80.00	1
			\$3,752.00	41

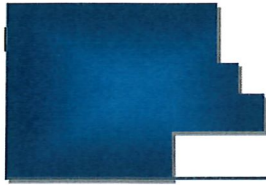
Group Total: 8

			\$7,561.44	115
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Total Records: 19

8/1/2022

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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] F

07/01/2022 - 07/31/2022

Fee Date	Account Number	Contractor Name	Fee Name	Paid By	Fee Amount	Payment Type	Payment Date	Receipt #
7/25/2022	1001.20302.000.0036	Gen X Electrical Solutions, LLC	Electrical Registration Fee	Applicant	10.00	Check	7/25/2022	148
7/5/2022	1001.20302.000.0036	Herrman & Goetz, INC.	Electrical Registration Fee		10.00	Check	7/5/2022	146
7/19/2022	1001.20302.000.0036	DG Electric	Electrical Registration Fee	Applicant	10.00	Check	7/19/2022	147
					30.00			

Total Records: 3

8/1/2022

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