ROCHESTER CITY BOARD OF ZONING APPEALS

ROCHESTER CITY HALL 320 MAIN ST. ROCHESTER, IN 46975

WEDNESDAY, DECEMBER 28, 2022 6:00 P.M.

CALL TO ORDER

BOARD OF ZONING APPEALS MINUTES FOR:

SEPTEMBER 28, 2022

OLD BUSINESS:

NEW BUSINESS:

Eugene Grzegorski (220775) Robert Hoppes (220797) Matt Woods (Fulton County Airport) (220806) Rochester Little League (220819)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

ROCHESTER CITY BOARD OF ZONING APPEALS

WEDNESDAY, SEPTEMBER 28, 2022

6:00 P.M. CITY HALL

CALL TO ORDER

BOARD OF ZONING APPEALS MINUTES FOR:

AUGUST 24, 2022

OLD BUSINESS:

Mill Creek Church (#239-0712)

NEW BUSINESS:

Lawrence Shirk (#220597) John Clavio (#220653)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

The Rochester City Board of Zoning Appeals met on Wednesday the 28th day of September 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: Teresa Houser, Gloria Carvey and Duane Border. Also in attendance were: Executive Director, Heather Redinger, Board Attorney, Andy Perkins and Administrative Secretary, Kim Gard.

It is duly noted that Dan Shafer and Paul Zartman was not present.

IN RE:

MEETING MINUTES

August 24, 2022

Duane Border asked the Board for any deletions, or corrections to be made to the August 24, 2022 minutes. Gloria Carvey moved to approve the August 24, 2022 Rochester City Board of Zoning Appeals minutes as read. Teresa Houser seconded the motion. Motion carried as follows: Teresa Houser, Gloria Carvey and Duane Border, being in favor and no one opposing.

IN RE:

OLD BUSINESS

Mill Creek Church (#239-0712)

Mill Creek Church requested a development standard variance off of the Rochester City sidewalk requirements, for the purpose of being exempt from constructing a sidewalk on property located at 1336 N State Road 25 Rochester, IN., within the Institutional /Recreational District, approximately 9.63 acres.

The request was approved on August 22, 2012, with the following conditions: must be reviewed in five (5) years; and there must be a five (5') easement for any future construction.

At this time, there has been no new construction in the area.

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. Gloria Carvey seconded the motion. Motion carried as follows: Teresa Houser, Gloria Carvey 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. Gloria Carvey seconded the motion. Motion carried as follows: Teresa Houser, Gloria Carvey 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. Gloria Carvey moved to approve Mill Creek Church requested a development standard variance off of the Rochester City sidewalk requirements, for the purpose of being exempt from constructing a sidewalk on property located at 1336 N State Road 25 Rochester, IN., within the Institutional /Recreational District, approximately 9.63 acres. Teresa Houser seconded the motion. Motion carried as follows: Teresa Houser, Gloria Carvey and Duane Border, being in favor and no one opposing.

IN RE:

NEW BUSINESS

Lawrence Shirk (#220597)

Lawrence Shirk (#220597) is requesting development standard variance off of the parking standards to allow recycled and screened asphalt, within the incorporated limits of the City of Rochester, on property located at, 221 Apache Dr., Rochester, IN within the General Commercial (GC) District.

All parking lots for commercial business, public and private employee parking, offices, organizations, and places of assembly, etc. must be paved with asphalt or concrete within the incorporated limits of the City of Rochester. Therefore, a variance off the parking standards to allow recycled and screened asphalt using vibrating roller for good compaction and smooth surface is being requested.

Shirk's Wood will be looking into applying another layer of virgin blacktop in the summer of 2027.

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. Gloria Carvey seconded the motion. Motion carried as follows: Teresa Houser, Gloria Carvey and Duane Border, being in favor and no one opposing.

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

Janet Egolf, 333 Apache Dr. stated she is in favor of 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. Gloria Carvey seconded the motion. Motion carried as follows: Teresa Houser, Gloria Carvey and Duane Border, being in favor and no one opposing.

Duane asked for Board discussion.

Gloria Carvey moved to approve Mr. Shirks petition with the condition that it is reviewed in five (5) years

Being no further questions or comments, Duane entertained a motion. Teresa Houser moved to approve Lawrence Shirk (#220597) is requesting development standard variance off of the parking standards to allow recycled and screened asphalt, within the incorporated limits of the City of Rochester, on property located at, 221 Apache Dr., Rochester, IN within the General Commercial (GC) District, with the condition that the petition is reviewed in five (5) years.

Administrative Secretary Kim Gard conducted roll call vote.

Gloria Carvey

Yea

Teresa Houser

Yea

Duane Border

Yea

Motion to approve Lawrence Shirk (#220597) is requesting development standard variance off of the parking standards to allow recycled and screened asphalt, within the incorporated limits of the City of Rochester, on property located at, 221 Apache Dr., Rochester, IN within the General Commercial (GC)

District, with the condition that the petition is reviewed in five (5) years. Passed with three votes being in favor and no one opposed.

IN RE:

NEW BUSINESS

John Clavio (#220653)

John Clavio (#220653) is requesting a Development Standard Variance of approximately 6' off of the front yard setback and approximately 4' off of the side yard setbacks for the purpose of an addition, on property located at, 2919 Barrett Rd. Rochester IN, within Lake Residential (R3) district.

In the R3 district, the front yard setback is 10' for a primary structure and 8' for the side yard setback. Mr. Clavio would like to construct an addition to replace the carport which would sit approximately 6' off the front yard and 4' off of the side yard setback. Therefore, a variance of 4' off of the front yard setback and 4' off of the side yard is being requested.

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. Gloria Carvey seconded the motion. Motion carried as follows: Teresa Houser, Gloria Carvey 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: Teresa Houser, Gloria Carvey 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 John Clavio (#220653) is requesting a Development Standard Variance of approximately 6' off of the front yard setback and approximately 4' off of the side yard setbacks for the purpose of an addition, on property located at, 2919 Barrett Rd. Rochester IN, within Lake Residential (R3) district.

Administrative Secretary Kim Gard conducted roll call vote.

Gloria Carvey

Yea

Teresa Houser

Yea

Duane Border

Yea

Motion to approve John Clavio (#220653) is requesting a Development Standard Variance of approximately 6' off of the front yard setback and approximately 4' off of the side yard setbacks for the purpose of an addition, on property located at, 2919 Barrett Rd. Rochester IN, within Lake Residential (R3) district. Passed with three 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, Duane Border, entertained a motion to adjourn the September 28, 2022 Rochester City Board of Zoning Appeals meeting. Gloria Carvey moved to adjourn the September 28, 2022 Rochester City Board of Zoning Appeals meeting at 6:40 P.M. Teresa Houser seconded the motion. Motion carried as follows: Teresa Houser, Gloria Carvey and Duane
Border being in favor and no one opposed.
ROCHESTER CITY BOARD OF ZONING APPEALS

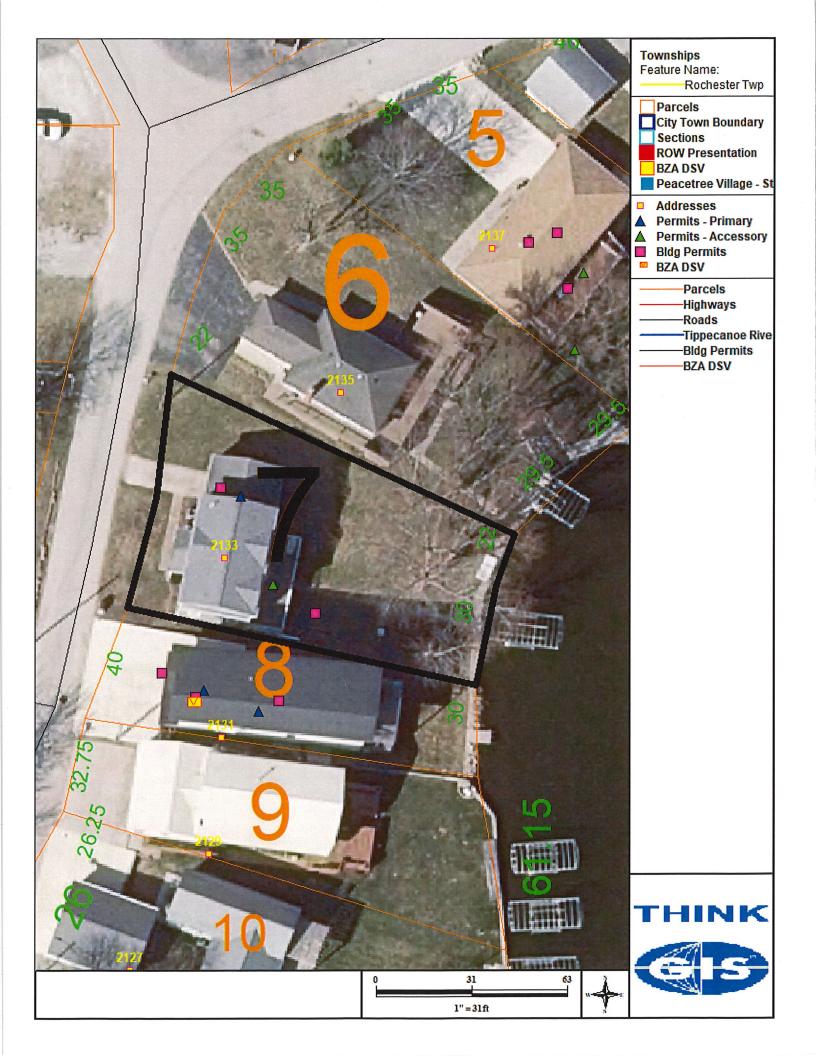
ATTEST: _____ Kim Gard, Administrative Secretary

Docket #220775 Kimberly and Eugene Grzegorski Development Standard Variance

Kimberly and Eugene Grzegorski (220775) requesting a development standard variance of 5' off of the side yard setback for the purpose of an addition to the existing garage, on property located at, 2133 Boulevard St., Rochester IN, within Lake Residential (R3) district.

In the R3 district, the side yard setback is 8' for a primary structure. Mr. and Mrs. Grzegorski would like to construct an addition to their existing attached garage which would sit approximately 3' off the side yard. Therefore, a variance of approximately 5' off of the side yard is being requested.

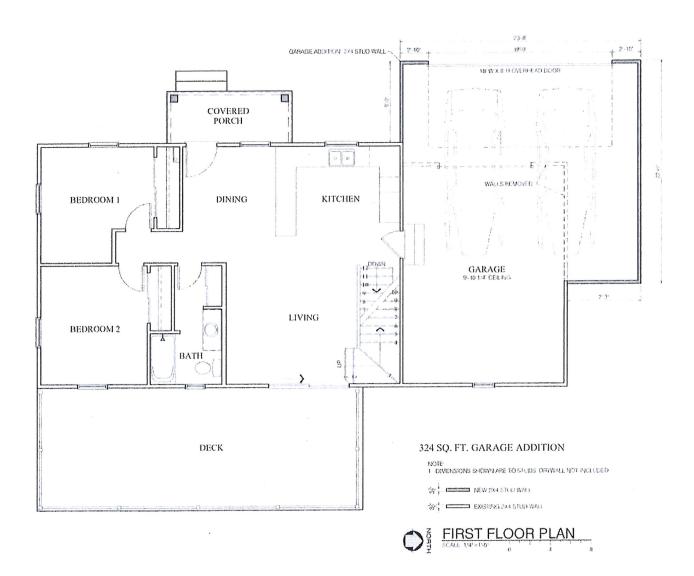
The request is for a Development Standard Variance of 5' off of the side yard setback for the purpose of an addition to the existing garage, on property located at, 2133 Boulevard St., Rochester IN, within Lake Residential (R3) district.



W

.75' 3-5/8".

S



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,

Kimberly and Eugene Grzegorski # 220775

Located at: 2133 Boulevard 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.

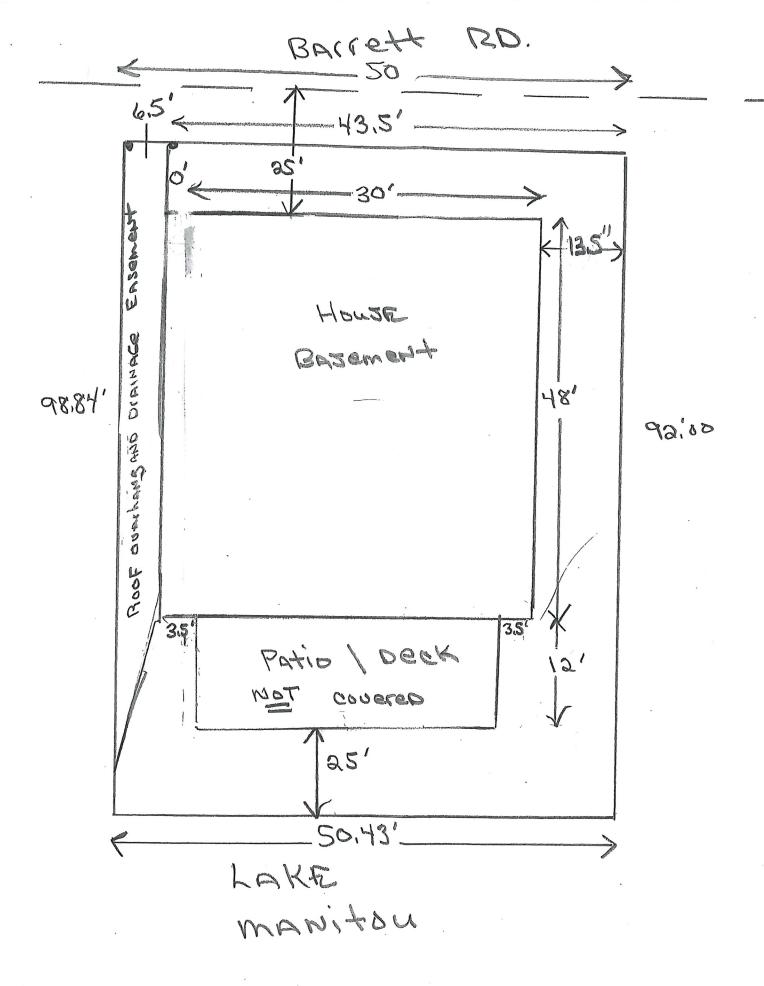
NAME	ADDRESS	SIGNATURE
Star Capital LLC	PO Box 820	Sheur Con
	Rochester, IN 46975	angele Condon
David R & Tina S Roe	2132 Boulevard St	
	Rochester, IN 46975	D30.00
Christopher D & Bandy	2131 Boulevard St	Con Bola
Molly M Bandy	Kokomo, IN 46901	4
V & P Enterprises LLC	1207 W 13th St	
	Rochester, IN 46975	The sect of the section of the secti

Docket #220797 Robert Hoppes Development Standard Variance

Robert Hoppes Docket #BZA 220797, requesting variances off of the front and side yard setbacks for the purpose of a new home, on property located 2903 Barrett Rd., Rochester, IN within the Lake Residential (R3) District.

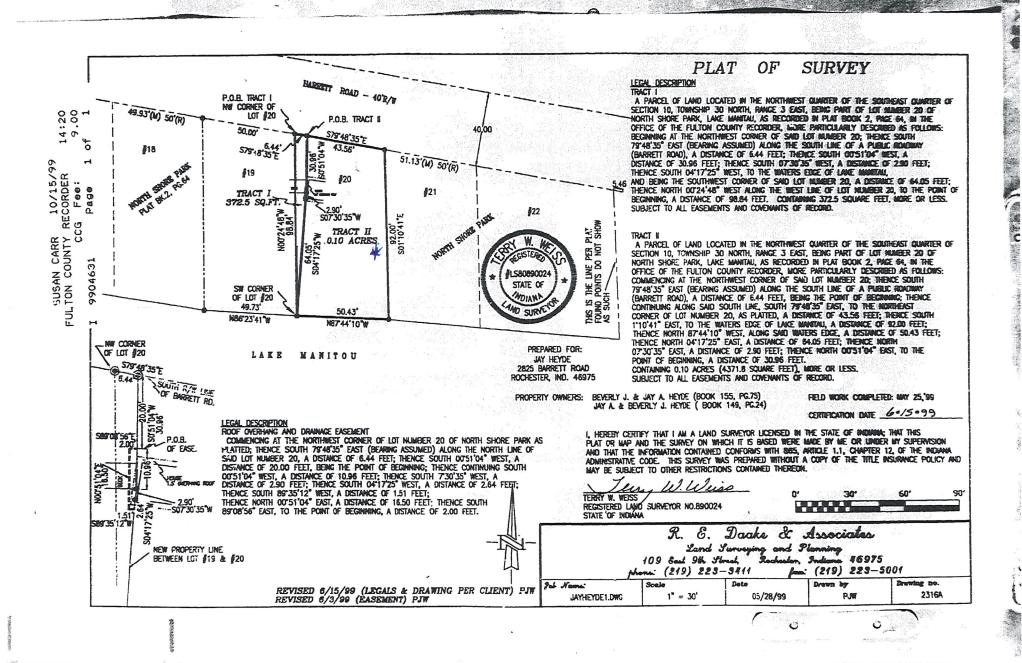
In the R3 district, the front yard setback is 10' for a primary structure and 8' for the side yard setback. Mr. Hoppes would like to construct a new home that would sit approximately 5' off the front yard and approximately 3' off the west side yard. Therefore, a variance of 5' off of the front yard setback and 5' off of the side yard are being requested.

The request is for Development Standard Variances off of the front and side yard setbacks for the purpose of a new home, on property located 2903 Barrett Rd., Rochester, IN within the Lake Residential (R3) District.



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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,

<u>Robert Hoppes</u> # 220797

Located at: 2903 Barrett Road, 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.

NAME	ADDRESS	SIGNATURE
Teddy Stephen Struck	1334 Andrea Ct	
Revocable Trust dated	Morris, IL 60450	•
April 3, 1997		
Gregory M & Marybeth	335 S Sleight St	√
M Lernihan	Naperville, IL 60540	
Herman A Werkman &	2822 Barrett Road	
Pamela S Moyer	Rochester, IN 46975	·



Docket #220806 Matt Woods (Airport) Development Standard Variance

Matt Woods (Fulton County Airport) Docket #220806, requesting a variance off of the landscaping codes for the purpose of new construction, on property located 545 North State Road 25, Rochester, IN within the Institutional Recreation (IR) District.

Matt Woods is requesting a blanket variance off all the landscaping codes, for any new construction, at the airport. Mr. Woods presented the board with documentation regarding landscaping around airports attracting wild life and the hazards that wild life presents. Therefore a blanket variance off of the landscaping codes is being requested.

The request is for a variance off of the landscaping codes for the purpose of new construction, on property located 545 North State Road 25, Rochester, IN within the Institutional Recreation (IR) District.

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,

Matt Woods (Airport) # 220806

Located at: 545 North State Road 25, 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.

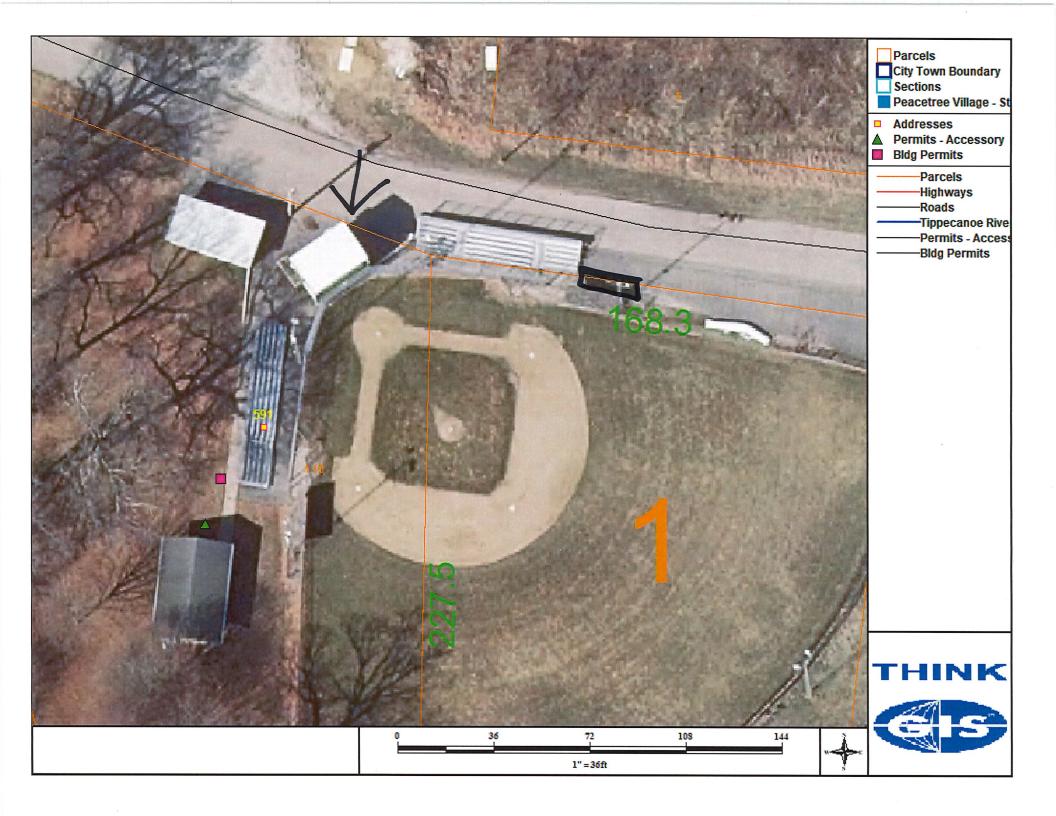
NAME	ADDRESS	SIGNATURE
Carithers James Carithers	36 Lenn Road	\checkmark
D &R	Springfield, MA 01118	
City of Rochester	320 Main St	
	Rochester, IN 46975	All w (X) Bot
County of Fulton	125 E 9th St	100 - 0
	Rochester, IN 46975	Christina Srives
Trent & Stacy Odell	10521 W 400 N	S 1100 Dt alla
	Kokomo, IN 46901	Todall Stay Chill
Dahms & Yarian LLC	110 S Columbia St	(San 1)
	Warsaw, IN 46580	was suisard
Casey's Marketing	PO Box 54288	V: 10 1
Company	Lexington, KY 40555	Jamela Lyrae (Kaylester)
	-	manai

Docket #220819 Rochester Little League Development Standard Variance

Rochester Little League (#220819) is requesting a Development Standard Variance of 25' off the front yard setback for the purpose of a new dug out, on property located at, E. 12th St. (010-179024-01) Rochester IN, within Institutional Recreational (IR) district.

In the IR district, the front yard setback for the dug out is 25'. Rochester Little League would like to construct a new dug out that would sit on the property line, at property located at E 12th St. (010-179024-01). Therefore, a variance of 25' off of the front yard setback is being requested.

The request is for a Development Standard Variance of 25' the front yard setback for the purpose of a new dug out, on property located at, E. 12th St. (010-179024-01) Rochester IN within the Institutional Recreational (IR) district.



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,

Rochester Little League # 220819

Located at: (010-179024-01) E. 12th 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.

NAME	ADDRESS	SIGNATURE
Edna S Smith, Robert	411 W 11th St	./
Smith	Rochester, IN 46975	V

Find | Next





Fee Summary Paid Totals

11/01/2022 - 11/30/2022

Fee Name ÷	Fee ‡ Description	Account Number \$	Total ‡ Amount	Total Fees	\$
Group: 1001.2	0301.000.0036				
A. County, Akron, & Town of Fulton Residential - Inspection Fee	Enter Number of Inspections	1001.20301.000.0036	\$935.00	1	12
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.20301.000.0036	\$328.20	1	l1
A-1. COUNTY, AKRON, & T /N OF FULTON ELECTRICAL PERMIT		1001.20301.000.0036	\$240.00		6
			\$1,503.20	2	9

Group Total: 3

Group: 1001.20302.000.0036

Group: 1001.2	0302.000.0036			
B. City of Rochester Residential Permit Fee		1001.20302.000.0036	\$228.50	5
B-1. City of Rochester Residential- Inspection Fee	Enter Number of Inspections	1001.20302.000.0036	\$300.00	5
B-2. CITY OF ROCHESTER ELECTRICAL PERMIT		1001.20302.000.0036	\$40.00	2
B-3. City of lester COMMERCIAL Permit Fee		1001.20302.000.0036	\$90.00	2
B-4. City of Rochester		1001.20302.000.0036	\$200.00	2

12/13/22, 1:58 PM		iWorQ I	Reporting
COMMERCIAL-			
Inspection			
Fee			
		\$858.50	16

Group Total: 5

Group: 1001.20303.000.0036

BZA.		1001.20303.000.0036	\$350.00	2
Development Standard Variance				
variance				
ZO. LIP		1001.20303.000.0036	\$750.00	15
ZO. Signs	Enter Square Feet	1001.20303.000.0036	\$174.00	2
			\$1,274.00	19

Group Total: 3

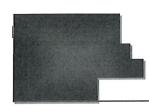
\$3,635.70 64

Total Records: 11

12/13/2022

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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] Fee Re

11/01/2022 - 11/30/2022

			11/01/2022 -	11/30/2022				
Fee Date 🕏	Account Number 🕏	Contractor \$ Name	Fee Name 🕏	Paid By \$	Fee ‡ Amount	Payment ‡ Type	Payment ‡ Date	Receipt #
11/21/2022	1001.20302.000.0036	E.M. Company	Electrical Registration Fee	Applicant	10.00	Card	11/21/2022	149
11/21/2022	1001.20302.000.0036	E.M. Company	Plumbing Registration Renewal Fee	Applicant	10.00	Card	11/21/2022	149
11/28/2022	1001,20302,000,0036	John's Family Handyman	Electrical Registration Fee	Applicant	10.00	Cash	11/28/2022	150
11/28/2022	1001.20302.000.0036	All Aspects Electric	Electrical Registration Fee	Applicant	10.00	Check	11/28/2022	151
11/29/2022	1001,20302,000,0036	James Heating & Cooling	Electrical Registration Fee	Applicant	10.00	Check	11/29/2022	152
11/29/2022	1001,20302,000.0036	James Heating & Cooling	Plumbing Registration Renewal Fee	Applicant	10.00	Check	11/29/2022	152
11/30/2022	1001.20302.000.0036	Daniel Sedam	Electrical Registration Fee	Applicant	10.00	Cash	11/30/2022	153
11/30/2022	1001.20302.000.0036	Shambaugh & Sons	Electrical Registration Fee	Applicant	10.00	Check	11/30/2022	154
11/30/2022	1001.20302.000.0036	Kenneth Plumlee	Electrical Registration Fee	Applicant	10.00	Check	11/30/2022	155
					90.00			

Total Records: 9

12/14/2022

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