

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

ROCHESTER CITY HALL
320 MAIN ST.
ROCHESTER, IN 46975
WEDNESDAY, DECEMBER 27, 2023
6:00 P.M.

CALL TO ORDER

BOARD OF ZONING APPEALS MINUTES FOR:

OCTOBER 25, 2023

OLD BUSINESS:

NEW BUSINESS:

Dean & Karen Frierhood (#230779)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

**ROCHESTER CITY BOARD OF ZONING APPEALS
OCTOBER 25, 2023**

**ROCHESTER CITY
BOARD OF ZONING APPEALS**

WEDNESDAY, OCTOBER 25, 2023

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

CALL TO ORDER

BOARD OF ZONING APPEALS MINUTES FOR:

SEPTEMBER 27, 2023

OLD BUSINESS:

NEW BUSINESS:

Daniel & Karen Dezelan (BZA# 230704)

David Border #BZA (230707)

Richard Eldridge II (#230721)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

ROCHESTER CITY BOARD OF ZONING APPEALS
OCTOBER 25, 2023

The Rochester City Board of Zoning Appeals met on Wednesday the 25th day of October 2023, at 6:00 P.M. in the Council Chambers located in the City Hall. Vice-Chairperson, Gloria Carvey, called the meeting to order at 6:00 P.M. The following members were present: Dan Shafer, Paul Zartman, and Gloria Carvey. Also, in attendance were: Executive Director, Heather Redinger and Administrative Secretary, Kim Gard and Board Attorney, Andy Perkins.

It is duly noted that Teresa Houser was absent.

It is duly noted that Duane Border recused himself, a family member was a petitioner.

IN RE: MEETING MINUTES

October 25, 2023

Gloria Carvey asked the Board for any deletions, or corrections to be made to the October 25, 2023 minutes. Dan Shafer moved to approve the October 25, 2023 Rochester City Board of Zoning Appeals minutes as written. Paul Zartman seconded the motion. Motion carried as follows: Dan Shafer, Paul Zartman, and Gloria Carvey being in favor and no one opposing.

IN RE: NEW BUSINESS

Joseph & Suzanne Benjamin (#230605)

Daniel & Karen Dezelan (BZA# 230704) is requesting Development Standard Variances of 16' off of the east rear/lake yard setback, 15' off of the south rear/lake yard setback and 2' off of the north west side yard setback for the purpose of an addition and screen in an existing deck, on property located at, 2113 Boulevard St., Rochester IN, within Lake Residential (R3) district.

In the Lake Residential (R3) district the rear/lake yard setback for a primary structure is 25' and the side yard setback is 8'. Mr. & Mrs. Dezelans lot has two rear/lake yards and they would like to construct a 4'6" x 28' deck on the east side of their home that would sit approximately 9' off the east rear/lake property line, they are also enclosing an existing deck on the south rear/lake property that sits approximately 10' off of the lake. They would also like to construct an addition on the north east of their home that will stay in line with the existing house and will sit approximately 6' off of their east property line. Therefore, variances of 16' off of the east rear/lake yard setback, 15' off of the south rear/lake yard setback and 2' off of the north west side yard setback for the purpose of a 9'6" x 11' addition and to screen in and repair the existing deck is being requested.

Gloria asked the petitioner if they had anything further to add.

Being nothing further to add, Gloria asked the board if they had any questions.

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

Being no public comment, Gloria entertained a motion to close the public hearing. Paul Zartman moved to close the public hearing. Dan Shafer seconded the motion. Motion carried as follows: Dan Shafer, Paul Zartman, and Gloria Carvey being in favor and no one opposing.

Being no further discussion, Gloria entertained a motion regarding the petition. Paul Zartman moved to approve Daniel & Karen Dezelan (BZA# 230704) is requesting Development Standard Variances of 16' off of the east rear/lake yard setback, 15' off of the south rear/lake yard setback and 2' off of the north west

ROCHESTER CITY BOARD OF ZONING APPEALS
OCTOBER 25, 2023

Being no further discussion, Gloria entertained a motion regarding the petition. Paul Zartman moved to approve Richard Eldridge II (#230721) is requesting a Special Exception to allow a duplex on property located at 115 E 11th St., Rochester IN, within Downtown Commercial (DC) district. Dan Shafer seconded.

Administrative Secretary, Kim Gard conducted roll call vote.

Dan Shafer	Yea
Paul Zartman	Yea
Gloria Carvey	Yea

Petition for, Richard Eldridge II (#230721) is requesting a Special Exception to allow a duplex on property located at 115 E 11th St., Rochester IN, within Downtown Commercial (DC) district. Passed with three votes being in favor and none opposing.

IN RE: PLAN DIRECTOR’S REPORT

Heather presented the board with the end of the month reports.

Being no further business to come in front of the Board of Zoning Appeals, Gloria Carvey entertained a motion to adjourn the October 25, 2023 Rochester City Board of Zoning Appeals meeting. Paul Zartman moved to adjourn the October 25, 2023 Rochester City Board of Zoning Appeals meeting at 7:00 P.M. Dan Shafer seconded the motion. Motion carried as follows: Dan Shafer, Paul Zartman, and Gloria Carvey being in favor and no one opposed.

ROCHESTER CITY BOARD OF ZONING APPEALS

ATTEST: _____
Kim Gard, Administrative Secretary

Docket #230779
Dean & Karen Frierhood
Development Standard Variance

Dean & Karen Frierhood (#230779) is requesting Development Standard Variances of 13.7' off of the minimum lot frontage for the east lot, 28.06' off of the minimum lot frontage for the west lot, approximately 4' off the rear yard setbacks for an existing building on the east lot, 30II sf off the minimum lot size for the east lot and approximately 3972 sf off of the minimum lot size for the west lot on property located at 1422 Ewing Rd., Rochester, IN within the Lake Residential (R3) District.

In the Lake Residential (R3) district the minimum lot frontage is 60', the rear yard setback is 10' and the minimum lot size is 6000 sf. Mr. and Mrs. Frierhood would like to split the lot. The frontage for the newly created lot to the east will be 46.3', the lot size will be approximately 2989 sf and the existing building will sit approximately 1' from the newly created rear lot line. The west lot will be approximately 2028 sf and the road frontage will be approximately 31.94', therefore, variances of 13.7' off of the minimum lot frontage for the east lot and 28.06' off of the minimum lot frontage for the west lot, approximately 6' off the rear yard setbacks for an existing building on the east lot and 30II sf off the minimum lot size for the east lot and approximately 3972 sf off of the west lot is being requested.

There are plans to demolish an existing building on the east lot, however, the existing building will not meet rear setbacks from the newly created property line.

The request is for a Development Standard Variances of 13.7' off of the minimum lot frontage for the east lot, 28.06' off of the minimum lot frontage for the west lot, approximately 4' off the rear yard setbacks for an existing building on the east lot, 30II sf off the minimum lot size for the east lot and approximately 3972 sf off of the minimum lot size for the west lot on property located at 1422 Ewing Rd., Rochester, IN within the Lake Residential (R3) District.

Set Backs

10' front
8' side
10' rear

> 60% of lot imperv
900 sq ft minimum

2989 sq ft lot
1793 sq ft impervious
(42 x 30) bld = 1260 sq ft
leaves 533 for
Drive way
(22' x 24' Drive)

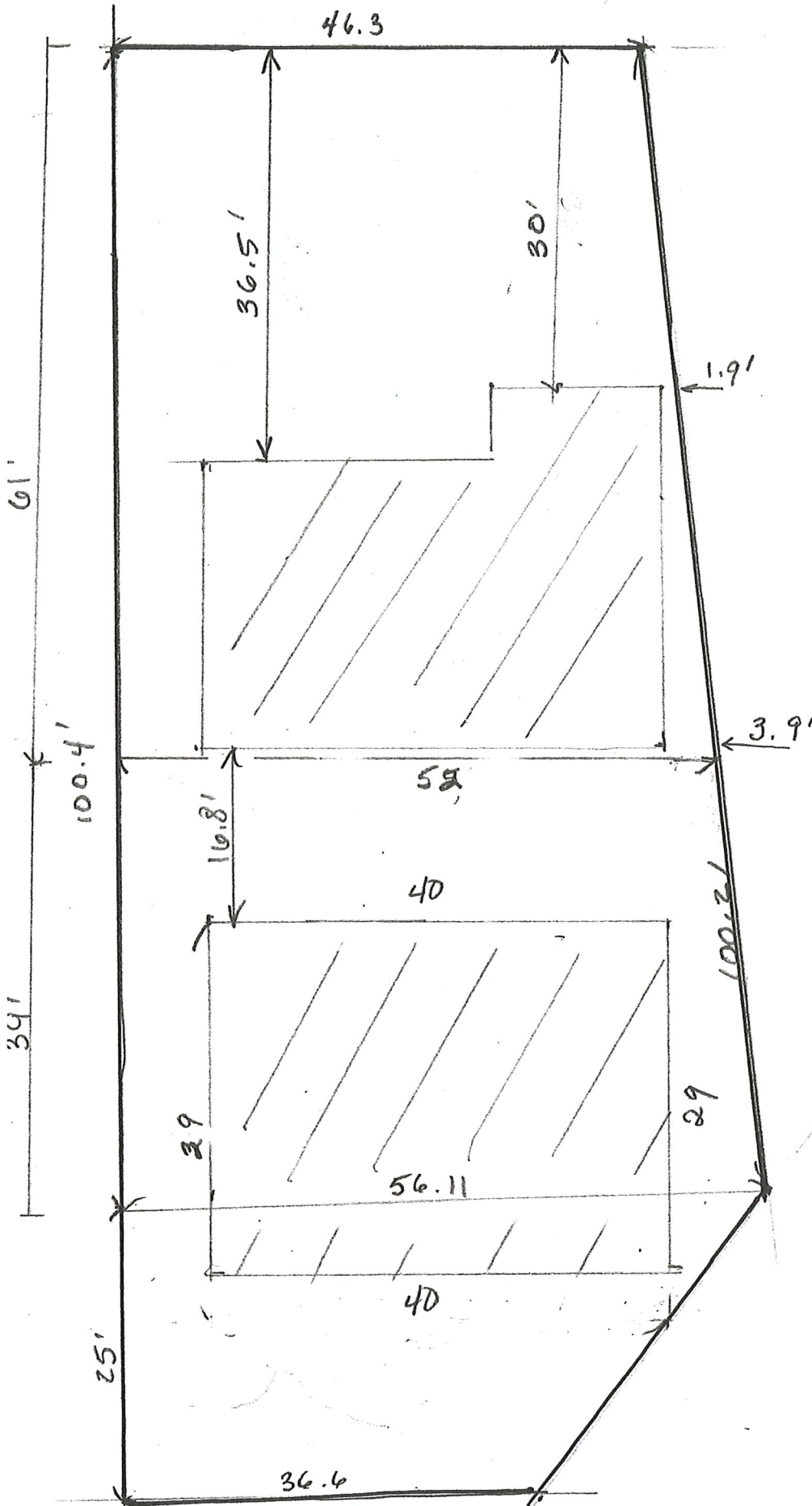
2028'
915
312

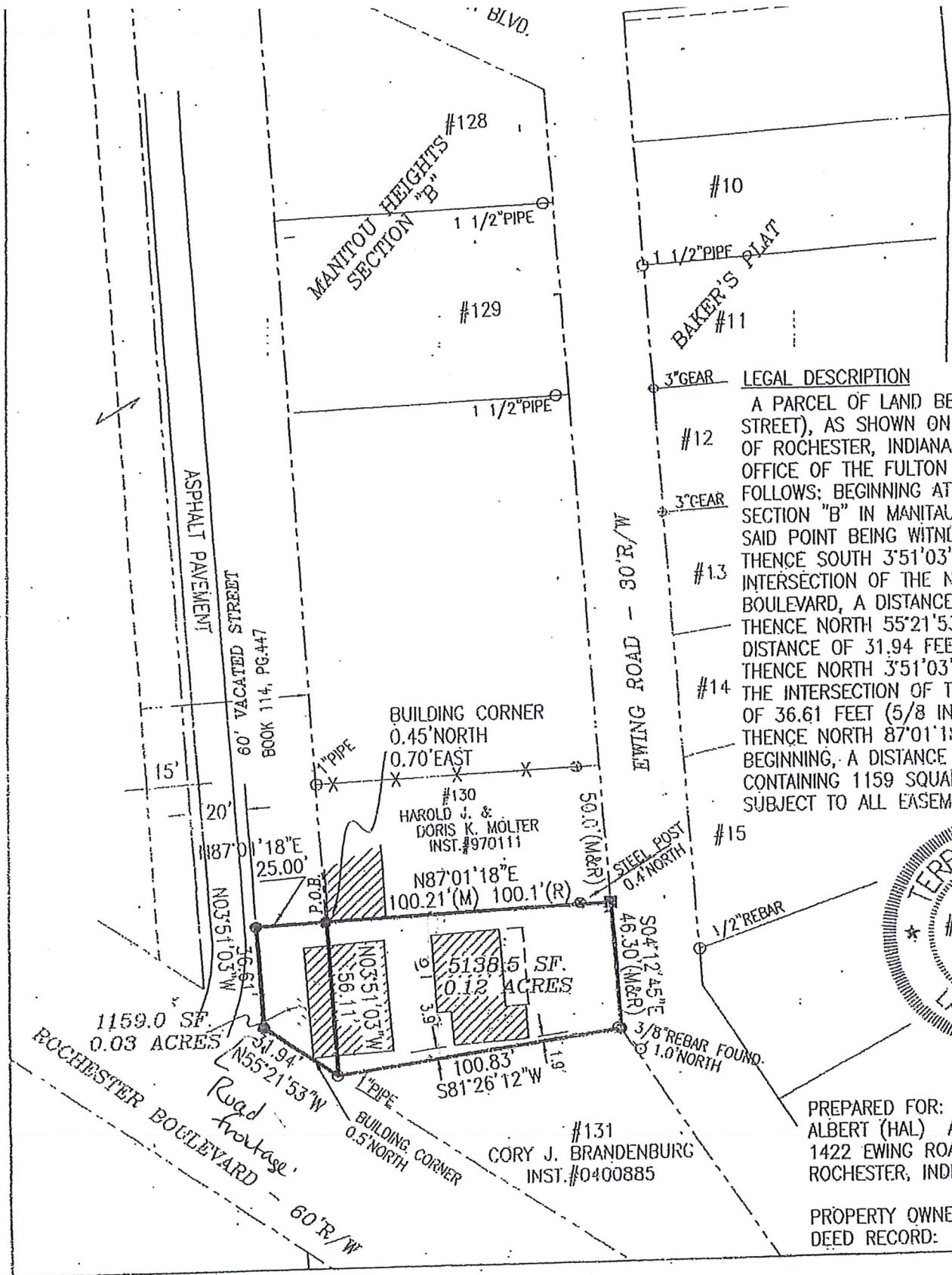
3255 sq ft land
x .60

1953 impervious
1440 sq ft building

3255 - (8 x 52) =
2839 x .60 =
1703 sq ft impervious

Corrected
Existing





LEGAL PART C ADDITIO COMME THENCE TO THE THENCE LOT 55 TO POI THENCE CONTAIN

LEGAL DESCRIPTION

A PARCEL OF LAND BEING PART OF STREET), AS SHOWN ON THE PLAT C OF ROCHESTER, INDIANA, SAID VACAT OFFICE OF THE FULTON COUNTY REC FOLLOWS: BEGINNING AT THE NORTH SECTION "B" IN MANITOU HEIGHTS AC SAID POINT BEING WITNESSED BY A THENCE SOUTH 3°51'03" EAST ALONG INTERSECTION OF THE NORTHERLY RI BOULEVARD, A DISTANCE OF 56.11 F THENCE NORTH 55°21'53" WEST, ALC DISTANCE OF 31.94 FEET (5/8 INCH THENCE NORTH 3°51'03" WEST AND THE INTERSECTION OF THE NORTH LI OF 36.61 FEET (5/8 INCH REBAR); THENCE NORTH 87°01'18" EAST, ALO BEGINNING, A DISTANCE OF 25.00 FE CONTAINING 1159 SQUARE FEET, MOI SUBJECT TO ALL EASEMENTS AND CC



PREPARED FOR:
 ALBERT (HAL) A. SMITH
 1422 EWING ROAD
 ROCHESTER, INDIANA 46975

PROPERTY OWNERS: ALBERT
 DEED RECORD: INSTRUMENT

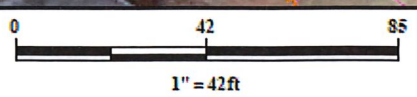
2989 MARK

Both lot sizes
 Setbacks - ? off home lot
 w/ condition of
 split

0' home
 70' frontage



- Townships**
 Feature Name:
 — Rochester Twp
- Parcels
 - ▣ City Town Boundary
 - ▣ Sections
 - ▣ ROW Presentation
 - ▣ BZA DSV
 - ▣ Peacetree Village - St
- Addresses
 - ▲ Permits - Accessory
 - Bldg Permits
- Parcels
 - Lots
 - Highways
 - Roads
 - Tippecanoe River
 - Permits - Comm
 - Bldg Permits
 - BZA DSV





Fee Summary Paid Totals

11/01/2023 - 11/30/2023

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	\$2,018.00	22
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.20301.000.0036	\$710.10	21
A-1. COUNTY, AKRON, & TOWN OF FULTON ELECTRICAL PERMIT		1001.20301.000.0036	\$120.00	3
			\$2,848.10	46

Group Total: 3

Group: 1001.20302.000.0036

B. City of Rochester Residential Permit Fee		1001.20302.000.0036	\$269.00	3
B-1. City of Rochester Residential-Inspection Fee	Enter Number of Inspections	1001.20302.000.0036	\$279.45	3
			\$548.45	6

Group Total: 2

Group: 1001.20303.000.0036

BZA. Development Standard Variance		1001.20303.000.0036	\$525.00	3
PC. Zone Map Amendment		1001.20303.000.0036	\$500.00	1
ZO. LIP		1001.20303.000.0036	\$850.00	17
ZO. Site Plan Review -		1001.20303.000.0036	\$175.00	1

TRC				
			\$2,050.00	22
				Group Total: 4
			\$5,446.55	74

Total Records: 9

12/20/2023

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