

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

ROCHESTER CITY HALL
320 MAIN ST.
ROCHESTER, IN 46975
WEDNESDAY, MAY 22, 2024
6:00 P.M.

CALL TO ORDER

BOARD OF ZONING APPEALS MINUTES FOR:

MARCH 27, 2023

OLD BUSINESS:

NEW BUSINESS:

Chad Tuttle (240267)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

**ROCHESTER CITY BOARD OF ZONING APPEALS
MARCH 27, 2024**

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BOARD OF ZONING APPEALS**

WEDNESDAY, MARCH 27, 2024

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

CALL TO ORDER

**BOARD OF ZONING APPEALS MINUTES FOR:
FEBRUARY 28, 2024**

OLD BUSINESS:

NEW BUSINESS:

Naketta McBee (240073)

Ben Whitfield (240106)

John Cory (240124)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

ROCHESTER CITY BOARD OF ZONING APPEALS
MARCH 27, 2024

The Rochester City Board of Zoning Appeals met on Wednesday the 27th day of March 2024, at 6:00 P.M. in the Council Chambers located in the City Hall. Chairperson, Paul Zartman, called the meeting to order at 6:00 P.M. The following members were present: Teresa Houser, Duane Border and Paul Zartman. Also, in attendance were: Executive Director, Heather Redinger; Attorney, Andy Perkins, and Administrative Secretary, Kim Gard.

It is duly noted Dan Shafer was absent.

IN RE: MEETING MINUTES

February 28, 2024

Paul Zartman asked the Board for any deletions, or corrections to be made to the February 28, 2024 minutes. Teresa Houser moved to approve the February 28, 2024 Rochester City Board of Zoning Appeals minutes as written. Duane Border seconded the motion. Motion carried as follows: Teresa Houser, Duane Border and Paul Zartman being in favor and no one opposing.

IN RE: NEW BUSINESS

Naketta McBee BZA# (240073)

Naketta McBee BZA# (240073) is requesting a Development Standard Variance of approximately 2' off of the side yard setback for the purpose of a 12' x 23' attached garage on property located at 2420 Wolf's Point Dr., Rochester IN, within Lake Residential (R3) district.

In the Lake Residential (R3) district the side yard setback for an attached garage is 8'. Mrs. McBee would like to construct a 12' x 23' attached garage to the north west of her existing home which at the closest point would sit approximately 6' off of the north property line, therefore, a variance of approximately 2' off of the side yard setback to allow an attached garage is being requested.

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

Being nothing further to add at this time, Paul then opened the public hearing.

Paul asked if anyone would like to speak in favor or oppose the petition.

Being no public questions or comments, Paul closed the public hearing.

Paul then asked for any board discussion.

Being no further discussion, Paul entertained a motion regarding the petition. Teresa Houser moved to approve Naketta McBee BZA# (240073) is requesting a Development Standard Variance of approximately 2' off of the side yard setback for the purpose of a 12' x 23' attached garage on property located at 2420 Wolf's Point Dr., Rochester IN, within Lake Residential (R3) district.

Administrative Secretary, Kim Gard conducted roll call vote.

Teresa Houser	Yea
Duane Border	Yea
Paul Zartman	Yea

Petition for, Naketta McBee BZA# (240073) is requesting a Development Standard Variance of approximately 2' off of the side yard setback for the purpose of a 12' x 23' attached garage on property

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located at 2420 Wolf's Point Dr., Rochester IN, within Lake Residential (R3) district. Passed with three votes being in favor and no one opposing.

IN RE: NEW BUSINESS

Ben Whitfield BZA# (240106)

Ben Whitfield BZA# (240106) is requesting a Development Standard Variance of 14' off of the side yard setbacks for the purpose of a 28' x 30' building with living space above, on property located at 3012 E SR 14, Rochester IN, within Highway Commercial (HC) district.

In the Highway Commercial (HC) district the side yard setback for a primary structure is 15'. Mr. Whitfield would like to construct a 28' x 30' building for the purpose of a wood shop with living space above, that would then sit approximately 1' off of the west side. Therefore, a variance of 14' off of the east side yard setback is being requested.

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

Mr. Whitfield approached the board and confirmed his plans with the petition.

Paul then opened the public hearing.

Paul asked if anyone would like to speak in favor or oppose the petition.

Being no public questions or comments, Paul closed the public hearing.

Paul then asked for any board discussion.

Being no further discussion, Paul entertained a motion regarding the petition. Teresa Houser moved to approve Ben Whitfield BZA# (240106) is requesting a Development Standard Variance of 14' off of the side yard setbacks for the purpose of a 28' x 30' building with living space above, on property located at 3012 E SR 14, Rochester IN, within Highway Commercial (HC) district.

Administrative Secretary, Kim Gard conducted roll call vote.

Teresa Houser	Yea
Duane Border	Yea
Paul Zartman	Yea

Petition for, Ben Whitfield BZA# (240106) is requesting a Development Standard Variance of 14' off of the side yard setbacks for the purpose of a 28' x 30' building with living space above, on property located at 3012 E SR 14, Rochester IN, within Highway Commercial (HC) district. Passed with three votes being in favor and no one opposing.

IN RE: NEW BUSINESS

John Cory (240124)

John Cory BZA# (240124) is requesting a Development Standard Variance of 25' off of the rear yard setbacks for the purpose of a split, on property located at 401 E 4th St., Rochester IN, within Industrial (IN) district.

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In the Industrial (IN) district the rear yard setback is 25'. Mr. Cory would like to split approximately 950sf off of the south west corner of their property. This piece of land will then become an adjoining lot to the south lot and would create a zero setback for the existing building to the north, therefore, a variance of 25' off of the rear setback is being requested.

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

Kevin G. Buchheit, AICP Land Planner for John Cory presented the board with additional information requesting zero (0) setbacks for all property lines and asking the board to affirm Heathers letter of continuity of operations as historically used.

Heather reminded the board the variance request is only for the setbacks. Everything that is there is existing and grandfathered in.

Andy Perkins stated most of what you do as a BZA comes down to variances and special exceptions, what you don't have experience in doing are request to review other actions in Heathers office. It could be any number of things, denial of a permit or the imposition of a fine, weather that comes from a party that is dissatisfied with Heathers actions or if it comes here from someone who is satisfied makes no difference if it is a timely request you have the right to hear it. You can reflect the affirmation of Heathers letter in separate motions as is shown here. You're essentially saying we have reviewed Heathers actions in issuing the letter and we affirm it.

Paul then opened public hearing.

Paul asked if anyone would like to speak in favor or oppose the petition.

Being no public questions or comments, Paul closed the public hearing.

Paul then asked the board for any discussion or questions.

Duane stated how are you going to do any maintenance to the building if it sets on the property line?

Attorney Sara Jones stated they would have an easement recorded in the deed.

Being no further questions or comments, Paul entertained a motion. Duane Border moved to approve John Cory BZA# (240124) is requesting a Development Standard Variance of 25' off of the rear yard setbacks for the purpose of a split, on property located at 401 E 4th St., Rochester IN, within Industrial (IN) district. Teresa seconded the motion.

Sara Jones asked what are you motioning on, the rear or the entire parcel?

Duane stated we are making a motion on what is on our docket which should cover all of what you are requesting.

Sara state she feels their request is a little different with requesting the entire parcel to be zero setbacks. Right now, all of the setbacks on the parcel are not met. We are looking for the full configuration of the property be approved as it is.

Heather stated just add on the finding of facts sheet zero setbacks on all property lines.

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Administrative Secretary, Kim Gard conducted roll call vote.

Teresa Houser	Yea
Duane Border	Yea
Paul Zartman	Yea

Petition for, John Cory BZA# (240124) is requesting a Development Standard Variance of 25' off of the rear yard setbacks for the purpose of a split, additionally (0) setbacks on all property lines on property lines, located at 401 E 4th St., Rochester IN, within Industrial (IN) district. Passed with three votes in favor and none opposing.

Duane then made a motion to affirm the administrative determination letter from the Area Plan Director as it relates to this docket. Teresa seconded the motion. Motion passed three to zero.

IN RE: PLAN DIRECTOR'S REPORT

Heather presented the board with last month's report.

Being no further business to come in front of the Board of Zoning Appeals, Paul Zartman, entertained a motion to adjourn the March 27, 2024 Rochester City Board of Zoning Appeals meeting. Duane Border moved to adjourn the March 27, 2024 Rochester City Board of Zoning Appeals meeting at 6:45 P.M. Gloria Carvey seconded the motion. Motion carried as follows: Teresa Houser, Gloria Carvey, Duane Border and Paul Zartman being in favor and no one opposed.

ROCHESTER CITY BOARD OF ZONING APPEALS

ATTEST: _____
Kim Gard, Administrative Secretary

Docket #240267
Chad Tuttle
Development Standard Variance

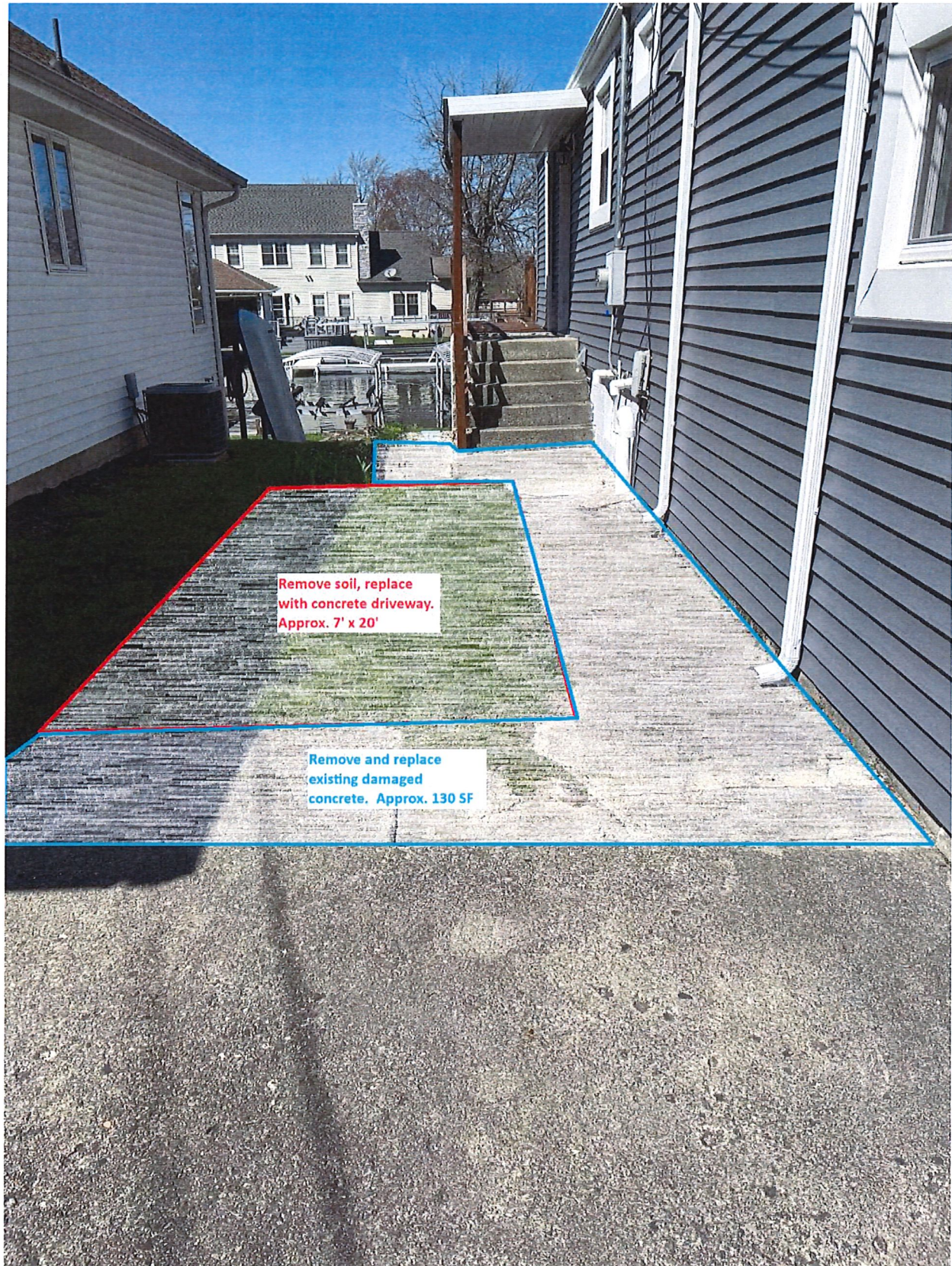
Chad Tuttle BZA# (240267) is requesting a Development Standard Variance of approximately 530 additional s/f of maximum impervious surface, on property located at 1608 Idlewild Dr., Rochester IN, within Lake Residential (R3) district.

In the Lake Residential (R3) district the maximum impervious surface is 60% of the lot. Mr. Tuttle is allowed approximately 1970 s/f of impervious surface. Currently he has exceeded the maximum impervious surface allowed, he is requesting to add an additional 140 s/f of the existing concrete drive. Therefore, the variance request is for a total of 530 additional s/f of impervious surface, to include the existing and proposed concrete.

Mr. Tuttle will be required to obtain drainage approval prior to obtaining building permits. A survey may be required to determine property lines.

The request is for a Development Standard Variance of approximately 530 s/f off of the maximum impervious surface, on property located at 1608 Idlewild Dr., Rochester IN, within Lake Residential (R3) district.





Remove soil, replace with concrete driveway. Approx. 7' x 20'

Remove and replace existing damaged concrete. Approx. 130 SF

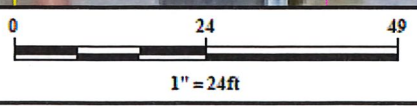






- Townships**
 Feature Name:
 — Rochester Twp
- Parcels
 - City Town Boundary
 - Sections
 - ROW Presentation
 - Peacetree Village - St
- Addresses**
- Parcels
 - Lots
 - Highways
 - Roads
 - Tippecanoe River
 - Permits - Comm
 - Bldg Permits

Concrete work





Fee Summary Paid Totals

04/01/2024 - 04/30/2024

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	\$3,480.95	25
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.20301.000.0036	\$966.82	24
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	\$1,190.00	3
A-2. County, Akron, & Town of Fulton COMMERCIAL-Permit Fee		1001.20301.000.0036	\$1,043.50	3
			\$6,841.27	59

Group Total: 5

Group: 1001.20302.000.0036

B. City of Rochester Residential Permit Fee		1001.20302.000.0036	\$218.89	9
B-1. City of Rochester	Enter Number of Inspections	1001.20302.000.0036	\$360.00	9

Residential- Inspection Fee				
B-2. CITY OF ROCHESTER ELECTRICAL PERMIT		1001.20302.000.0036	\$40.00	2
B-5. City of Rochester Residential- Renewal		1001.20302.000.0036	\$38.48	1
			\$657.37	21

Group Total: 4

Group: 1001.20303.000.0036

BZA. Development Standard Varaince		1001.20303.000.0036	\$1,000.00	4
BZA. Special Exception		1001.20303.000.0036	\$500.00	2
ZO. LIP		1001.20303.000.0036	\$1,700.00	34
ZO. Signs	Enter Square Feet	1001.20303.000.0036	\$1,518.78	2
			\$4,718.78	42

Group Total: 4

			\$12,217.42	122
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Total Records: 13

5/1/2024

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