### ROCHESTER CITY BOARD OF ZONING APPEALS

ROCHESTER CITY HALL 320 MAIN ST. ROCHESTER, IN 46975 WEDNESDAY, APRIL 26, 2023 6:00 P.M.

#### CALL TO ORDER

### **ELECTION OF OFFICERS**

# ADOPTION OF MEETING RESOLUTION

## **BOARD OF ZONING APPEALS MINUTES FOR:**

**DECEMBER 28, 2022** 

**OLD BUSINESS:** 

**NEW BUSINESS:** 

Brant Eytcheson (230114) Ken Hoff (230141)

PLAN DIRECTOR REPORT

**PUBLIC COMMENTS** 

**BOARD COMMENTS** 

**ADJOURNMENT** 

## ROCHESTER CITY BOARD OF ZONING APPEALS

WEDNESDAY, DECEMBER 28, 2022

6:00 P.M. CITY HALL

**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** 

The Rochester City Board of Zoning Appeals met on Wednesday the 28<sup>th</sup> day of December 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, Dan Shafer, Paul Zartman and Duane Border. Also in attendance were: Executive Director, Heather Redinger, and Administrative Secretary, Kim Gard.

Board Attorney, Andy Perkins was present via telephone.

IN RE:

**MEETING MINUTES** 

September 28, 2022

Duane Border asked the Board for any deletions, or corrections to be made to the September 28, 2022 minutes. Gloria Carvey moved to approve the September 28, 2022 Rochester City Board of Zoning Appeals minutes as read. Teresa Houser seconded the motion. Motion carried as follows: Teresa Houser, Gloria Carvey, Dan Shafer, Paul Zartman and Duane Border being in favor and no one opposing.

IN RE:

**OLD BUSINESS** 

IN RE:

**NEW BUSINESS** 

Kimberly and Eugene Grzegorski (220775)

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.

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: Teresa Houser, Gloria Carvey, Dan Shafer, Paul Zartman and Duane Border being in favor and no one opposing.

Duane asked if anyone would like to speak in favor or oppose 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, Dan Shafer, 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 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. Paul Zartman seconded the motion.

Administrative Secretary Kim Gard conducted roll call vote.

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

Motion to approve 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. Passed with five votes being in favor and no one opposed.

IN RE:

**NEW BUSINESS** 

Robert Hoppes (220797)

Robert Hoppes (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.

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: Teresa Houser, Gloria Carvey, Dan Shafer, Paul Zartman and Duane Border being in favor and no one opposing.

Duane asked if anyone would like to speak in favor or oppose 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, Dan Shafer, Paul Zartman and Duane Border being in favor and no one opposing.

Duane asked for Board discussion.

Gloria asked if there would be a garage for parking.

Robert Hoppes stated there is no room for a garage.

Gloria stated where would you be parking if you should have guests over. Is there adequate parking off of the road?

Robert Hoppes stated there is a cement pad they are currently parking on with enough room for their two cars and parking across the road if need be.

Dan stated he lives a few houses down and there is adequate parking.

Gloria stated on the east side of the home, is that an encroachment or an easement? Also, on the west side will there be enough room to get large trucks through in case of emergencies.

Robert Hoppes stated it is in the deed as an easement. There is enough room on the west to get any vehicles through.

Being no further questions or comments, Duane entertained a motion. Teresa Houser moved to approve Robert Hoppes (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. Paul Zartman seconded the motion.

Administrative Secretary Kim Gard conducted roll call vote.

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

Motion to approve Robert Hoppes (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. Passed with five votes being in favor and no one opposed.

IN RE:

**NEW BUSINESS** 

Matt Woods (Fulton County Airport) Docket (220806)

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.

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: Teresa Houser, Gloria Carvey, Dan Shafer, Paul Zartman and Duane Border being in favor and no one opposing.

Duane asked if anyone would like to speak in favor or oppose 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, Dan Shafer, 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 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. Paul Zartman seconded the motion.

Administrative Secretary Kim Gard conducted roll call vote.

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

Motion to approve 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. Passed with five votes being in favor and no one opposed.

IN RE:

**NEW BUSINESS** 

Rochester Little League (#220819)

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 dugout 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.

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: Teresa Houser, Gloria Carvey, Dan Shafer, Paul Zartman and Duane Border being in favor and no one opposing.

Duane asked if anyone would like to speak in favor or oppose 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,	Dan	Shafer,	Paul Z	artman	and D	uane	Border l	being in	favor	and no
one opposing.			-								C		

Duane asked for Board discussion.

Being no further questions or comments, Duane entertained a motion. Teresa Houser moved to approve 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. Paul Zartman seconded the motion.

Administrative Secretary Kim Gard conducted roll call vote.

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

Motion to approve 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. Passed with five votes being in favor and no one opposed.

IN RE: PLAN DIRECTOR'S REPORT

ROCHESTER CITY BOARD OF ZONING APPEALS

Being no further business to come in front of the Board of Zoning Appeals, Duane Border, entertained a motion to adjourn the December 28, 2022 Rochester City Board of Zoning Appeals meeting. Teresa Houser moved to adjourn the December 28, 2022 Rochester City Board of Zoning Appeals meeting at 7:00 P.M. seconded the motion. Motion carried as follows: Teresa Houser, Gloria Carvey, Dan Shafer, Paul Zartman and Duane Border being in favor and no one opposed.

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## Docket #230141 Ken Hoff Development Standard Variances

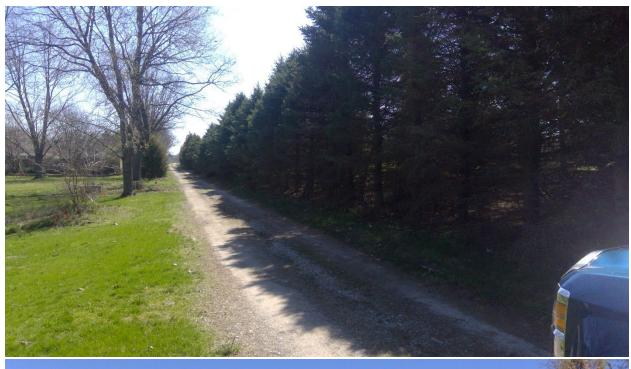
Ken Hoff (#230141) is requesting Development Standard Variances off of the landscaping codes and fence codes for an additional 2' fence height for the purpose of removing existing buffer and erecting an 8' chain link fence on property located at, 316 Rouch Place Dr., Rochester IN, within General Commercial (GC) district.

In the General Commercial (GC) district, a buffer yard is required if the property is adjacent to SR, RR, R1, R2, R3 or MP districts. Mr. Hoff's property is adjacent to R1 and MP districts. He would like remove the existing buffer yard and replace it with an 8' chain link fence for additional area for development, expanse and maintenance costs. Therefore, a variance of the landscaping codes and fence codes are being requested.

The request is for Development Standard Variances off of the landscaping codes and fence codes for an additional 2' fence height for the purpose of removing existing buffer and erecting an 8' chain link fence on property located at, 316 Rouch Place Dr., Rochester IN, within General Commercial (GC) district.

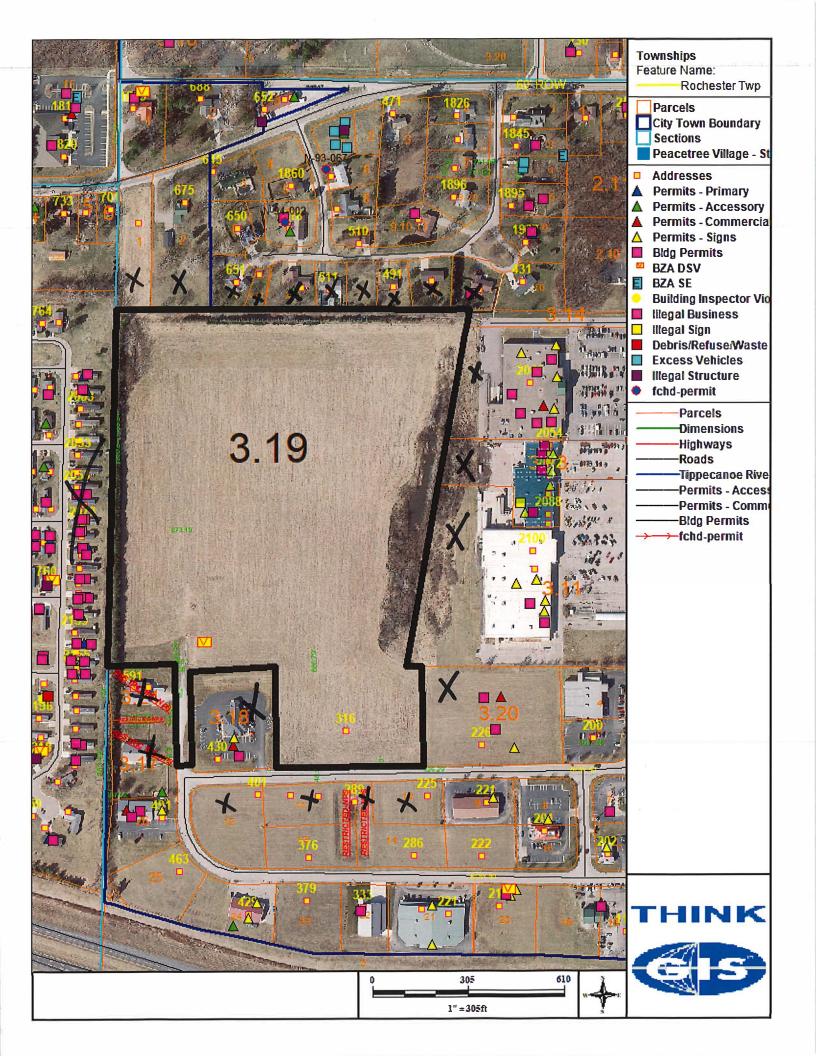












Fulton County Plan Commission 125 E. 9th Street Rochester, Indiana 46975 Phone (574) 223.7667 Fax (574) 223.3652

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

I, Ken Hoff 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:

Ken Hoff #230141

**Requesting:** A Development Standard Variance on property located within General Commercial (GC) District.

#### Located at:

316 Rouch Place Dr., Rochester IN

Interested Parties Associated with the P		
Country Meadows MHC Indiana, LLC	31200 Northwestern Highway	✓
	Farmington, MI 48334	
Byers Jeffrey D & Lisa K	675 W 18th St	$\sqrt{}$
	Rochester, IN 46975	
Stowasser David L & Elizabeth	651 S Schoolview	/
	Rochester, IN 46975	
Borkholder Andrew	591 S Shoolview Dr	✓
	Rochester, IN 46975	
Clark Steven D & Finnegan Penny B	511 S Schoolview Dr	1
	Rochester, IN 46975	
Croussore Michael W & Cynthia	491 S Schoolview Dr	/
	Rochester, IN 46975	
Border Patricia L	471 S Schoolview Dr	<b>√</b>
	Rochester, IN 46975	
Bradley Justin L	451 S Schoolview Dr	7
	Rochester, IN 46975	
Kroger Limited Partnership I	1014 Vine Street	<b>√</b>
	Property Tax-7th Floor	
	Cincinnati, OH 45202	
GJMS LLC	PO Box 1451	√
	Valparaiso, IN 46384	
Store Master Funding XV LLC	60 S 6th St., Ste. 2700	γ
%Best & Flanagan LLP	Minneapolis, MN 55402	
Farm Credit of Mid-America FLCA	12501 Lakefront Place	V
	Louisville, KY 40299	
Good Bradly R & Kathleen M Good	5823 E 150 S	1
Revocable Living Trust	Rochester, IN 46975	
R J Murphy, Inc	333 Apache Drive	V
-	Rochester, IN 46975	
		ı

Beacon Credit Union	PO Box 627	V
	Wabash, IN 46992	
Fulton County Youth Center Inc	PO Box 286	✓
	491 Apache Dr	
	Rochester, IN 46975	
Jeep Girl Adventures LLC	591 Apache Dr	J
	Rochester, IN 46975	

And that said notices were sent by certified mail on or before the 21st day of April 2023, 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 16th day of April 2023, being at least ten (10) days prior to the date of the Public Hearing.

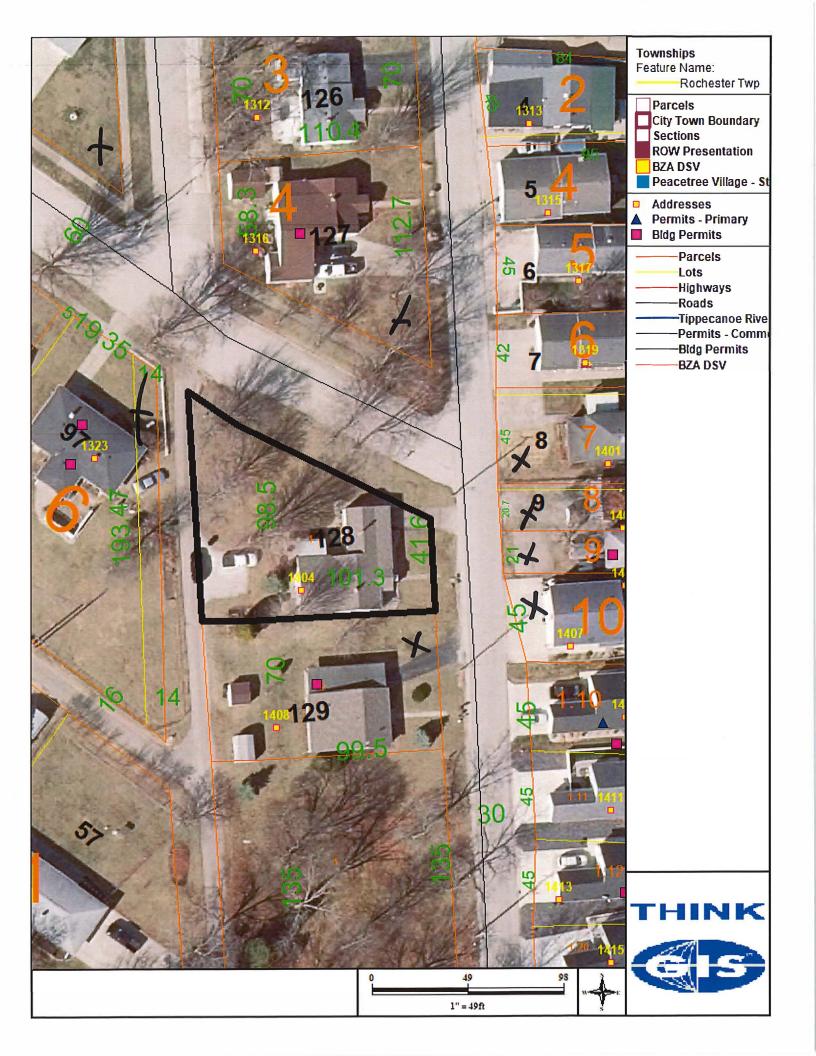
Dated the	day of,,
<pre><applicant< pre=""></applicant<></pre>	>
NOTARY:	State of Indiana) County of Fulton) SS: Subscribed and sworn to before me this
	Residing in County My Commission expires

## Docket #230114 Brandt Eytcheson Development Standard Variance

Brant Eytcheson (#230114) is requesting a Development Standard Variance off of the fence codes of an additional 2' in fence height, for the purpose of 6' privacy fence in the front yard, on property located at, 1404 Ewing Rd, Rochester IN, within Lake Residential (R3) district.

In the Lake Residential (R3) district a fence cannot be greater than four (4) feet in height in the front yard. Mr. Eytcheson lives on a corner lot that has two fronts, he would like to erect a 6' privacy fence on the north portion of his property. Mr. Eytcheson would attach the fence to the northwest corner of his home, go out approximately 20' and follow his property line to the rear of the property. Therefore, a variance of 2' off of the fence codes is being requested.

The request is for a Development Standard Variance off of the fence codes of an additional 2' in fence height, for the purpose of 6' privacy fence in the front yard, on property located at, 1404 Ewing Rd, Rochester IN, within Lake Residential (R3) district.



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, <u>Brandt J Eytcheson</u> 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:

Brandt J Eytcheson #230144

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

#### Located at:

1404 Ewing Rd., Rochester IN

Interested Parties Associated with the Property

Interested Parties Associated with the P	roperty	
Sayger Timothy L & Linda L	1003 E 9th St	
	Rochester, IN 46975	V
Short Birja K	1407 Ewing Road	
·	Rochester, IN 46975	V
Rostron Christopher M & Rebecca L	905 W Markland	1
_	Kokomo, IN 46901	V
Savage Argyle D & Barbara S	252 W 6th Street	ſ
	Rochester, IN 46975	1.00
Black Thomas E Jr	7048 Warwick Road	(
	Indianapolis, IN 46220	٧
Healton Dale W	2081 N Old US Hwy 31	./-
	Rochester, IN 46975	У
Delp David L & Caren	1323 Jackson Blvd	60
	Rochester, IN 46975	Y
Spoor Gerald C & Dorothy K	1316 Jackson Blvd.	/
,	Rochester, IN 46975	✓
	<del></del>	

And that said notices were sent by certified mail on or before the 1<sup>st</sup> day of April 2023, 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 16<sup>th</sup> day of April 2023, being at least ten (10) days prior to the date of the Public Hearing.

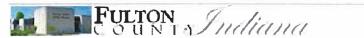
Dated the	day of,
<pre><applicant< pre=""></applicant<></pre>	>
NOTARY:	State of Indiana) County of Fulton) SS: Subscribed and sworn to before me this day of,

County My Commission expires









# **Fee Summary Paid Totals**

#### 03/01/2023 - 03/31/2023

	03/01/2023 - 03/31/2023					
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	\$1,758.60	22		
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.20301.000.0036	\$701.47	22		
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	\$160.00	1		
A-2. County, Akron, & Town of Fulton COMMERCIAL- Permit Fee		1001.20301.000.0036	\$12.40	1		
			\$2,792.47	50		

**Group Total: 5** 

#### Group: 1001.20303.000.0036

ADMIN - Zone Ordinance	1001.20303.000.0036	\$16.00	1
BZA. Development Standard Variance	1001.20303.000.0036	\$700.00	4

BZA. Special Exception	7	1001.20303.000.0036	\$525.00	3
ZO. LIP		1001.20303.000.0036	\$1,200.00	24
ZO. Site Plan Review - TRC		1001.20303.000.0036	\$175.00	1
ZO. Solar Array- Small		1001.20303.000.0036	\$80.00	1
			\$2,696.00	34

**Group Total: 6** 

### Group: 1001.20302.000.0036

B. City of Rochester Residential Permit Fee		1001.20302.000.0036	\$112.50	8
B-1. City of Rochester Residential- Inspection Fee	Enter Number of Inspections	1001.20302.000.0036	\$280.00	8
B-2. CITY OF ROCHESTER ELECTRICAL PERMIT		1001.20302.000.0036	\$60.00	3
			\$452.50	19

**Group Total: 3** 

\$5,940.97 103

**Total Records: 14** 

Page: 1 of 1

4/4/2023

## AREA PLAN COMMISSION OFFICE 2022 YEAR END REPORT

### Γ <u>ıl Permits Issued in 2022:</u> 768

Bunding/Electrical Permits: 434 Location Improvement Permits: 328

Government Work Order: 6 Electrical Registrations: 50 Plumbing Registrations: 17

### Total Permits Issued in 2021: 941

Building/Electrical Permits: 530 Location Improvement Permits: 383

Government Work Order: 28 Electrical Registrations: 54 Plumbing Registrations: 26

## 2022 Permits Issued

Henry Twp~82	Town of Akron~28
Building/Electrical Permits 46	Building/ Electrical Permits 16
Location Improvement Permits 36	Location Improvement Permits 12
1-New Dwellings	0-New Dwellings
Rochester Twp~418	City of Rochester ~259
Building/ Electrical Permits 249	Building/ Electrical Permits 160
Location Improvement Permits 163	Location Improvement Permits 93
Government Work Order 6	Government Work Order 6
6-New Dwellings	5-New Dwellings
Liberty Twp ~80	Town of Fulton∼ 5
uilding/ Electrical Permits 42	Building/ Electrical Permits 3
Location Improvement Permits 38	Location Improvement Permits 2
8-New Dwellings	0-New Dwellings
Union Twp~39	Town of Kewanna~8
Building/ Electrical Permits 16	Building/ Electrical Permits 0
Location Improvement Permits 23	Location Improvement Permits 8
1-New Dwellings	0-New Dwellings
Aubbeenaubbee Twp ~ 30	Richland Twp~43
Building/ Electrical Permits 19	Building/ Electrical Permits 22
Location Improvement Permits 11	Location Improvement Permits 21
1-New Dwellings	3-New Dwellings
Newcastle Twp ~58	Wayne Twp~18
Building/ Electrical Permits 31	Building/ Electrical Permits 9
Location Improvement Permits 27	Location Improvement Permits 9
2-New Dwellings	0-New Dwellings

### Total Splits Approved~54

**1∼** Aubbeenaubbe Twp

13~Henry Twp 1~Liberty Twp

9~Newcastle Twp

4~Richland Twp

19~Rochester Twp

6∼Union Twp

1~Wayne Twp

Plan Commission Petitions: 7 TRC: 3

### **BZA Petitions: 44**

- Development Standard Variances~37
  - o 16 City of Rochester
  - o 17 Fulton County
  - o 1 Akron
  - o 3 Fulton/Kewanna

- Special Exceptions~7
  - o 0 City of Rochester
  - o 6 Fulton County
  - o 1 Akron
  - o 0 Fulton/Kewanna

2022		2021		
Total Plan Commission &	\$81,714.32	Total Plan Commission &	\$101,458.89	
Building Fees Collected		<b>Building Fees Collected</b>		
Location Improvement Permits,	\$28,219.50	Location Improvement Permits,	\$36,669.34	
Petition Applications and copies		Petition Applications and copies		
Fines	\$8,130.91	Fines	\$5,028.00	
Fulton County Building Permit	\$31,579.17	Fulton County Building Permit	\$42,756.38	
Fees		Fees		
City Building Permit Fees and	\$13,784.74	City Building Fees and	\$17,005.17	
Registration Fees		Registration Fees		