## ROCHESTER CITY BOARD OF ZONING APPEALS

CITY HALL COUNCIL CHAMBERS JULY 25, 2018 6:00 P.M.

#### CALL TO ORDER

### BOARD OF ZONING APPEALS MINUTES FOR: June 27, 2018

**OLD BUSINESS:** 

**NEW BUSINESS:** 

Roy Swartz (#506-0618)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

#### ROCHESTER CITY BOARD OF ZONING APPEALS June 27, 2018

#### ROCHESTER CITY BOARD OF ZONING APPEALS

WEDNESDAY, JUNE 27, 2018

6:00 P.M.
COUNCIL CHAMBERS
CITY HALL

CALL TO ORDER

BOARD OF ZONING APPEALS MINUTES FOR: May 23, 2018

**OLD BUSINESS:** 

NEW BUSINESS: Kiel Williams (#503-0518)

PLAN DIRECTOR REPORT

**PUBLIC COMMENTS** 

**BOARD COMMENTS** 

**ADJOURNMENT** 

#### ROCHESTER CITY BOARD OF ZONING APPEALS June 27, 2018

The Rochester City Board of Zoning Appeals met on Wednesday the 27<sup>th</sup> day of June 2018, 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, Trent Powell, Bob Cannedy, Rick O'Neill and Duane Border. Also in attendance were: Executive Director, Casi Cowles; Attorney, Greg Heller and Administrative Secretary, Heather Redinger.

IN RE:

MEETING MINUTES

May 23, 2018

Duane Border asked the Board for any deletions, or corrections to be made to the May 23, 2018 minutes. Rick O'Neill moved to approve the May 23, 2018 Rochester City Board of Zoning Appeals minutes as written. Trent Powell seconded the motion. Motion carried as follows: Teresa Houser, Trent Powell, Bob Cannedy, Rick O'Neill and Duane Border all being in favor and no one opposing.

IN RE:

**NEW BUSINESS** 

Kiel Williams (#503-0518) Development Standard Variances

Kiel Williams (#503-0518) is requesting a development standard variance off of the fence codes, privacy fence definition, for the purpose of a privacy fence, as well as, 10' off of the front yard setback and 4' off of the lake yard setback for the purpose of a deck addition, within the lake residential (R3) District on property located at 1707 Idlewild, Rochester, IN.

In the R3 district, fences located in the front/road yard cannot be greater than 3' in height, fences located in the lake yard must be 4' or less and be 70% transparent. Mr. Williams would like to construct a 15' x 20' deck and place the 6' privacy fence along the deck edge. The land slopes down towards the lake yard, the deck would sit approximately 1' off the ground then approximately 4'-5' off the ground towards the lake yard. Therefore, a variance off of the R3 fence codes and the privacy fence definition are being requested.

In the R3 the front yard and lake yard setback is 10'. The proposed deck would be approximately 15' x 20' would sit less than 1' off of the front yard and approximately 6' off of the lake yard. Therefore, a variance of 10' off of the front yard and lake yard is also being requested.

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

She did not at this time.

Duane Border asked for any further Board comments.

Being no Board comments, he entertained a motion to open public hearing Trent Powell moved to open the public hearing. Rick O'Neill seconded the motion. Motion carried as follows: Teresa Houser, Trent Powell Bob Cannedy, Rick O'Neill and Duane Border all being in favor and no one opposing.

Duane asked if anyone would like to speak in favor of or opposed to the petition, please rise and state your name.

Being no one to speak in favor, or to oppose the petition, Duane Border, entertained a motion to close the public hearing. Teresa Houser moved to close the public hearing. Trent Powell seconded the motion.

#### ROCHESTER CITY BOARD OF ZONING APPEALS June 27, 2018

Motion carried as follows: Teresa Houser, Trent Powell, Bob Cannedy, Rick O'Neil and Duane Border all being in favor and no one opposing.

Being no further questions or comments, Duane Border, entertained a motion regarding the petition. Kiel Williams (#503-0518) is requesting a development standard variance off of the fence codes, privacy fence definition, for the purpose of a privacy fence, as well as, 10' off of the front yard setback and 4' off of the lake yard setback for the purpose of a deck addition, within the lake residential (R3) District on property located at 1707 Idlewild, Rochester, IN. Trent Powell seconded the motion.

The Board members then proceeded to fill out their Findings of Fact Forms.

Teresa Houser	Yea
Trent Powell	Yea
Bob Cannedy	Yea
Rick O'Neill	Yea
Duane Border	Yea

Motion to approve, Kiel Williams (#503-0518) is requesting a development standard variance off of the fence codes, privacy fence definition, for the purpose of a privacy fence, as well as, 10' off of the front yard setback and 4' off of the lake yard setback for the purpose of a deck addition, within the lake residential (R3) District on property located at 1707 Idlewild, Rochester, IN. Passed with five votes being in favor and no one opposing.

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 June 27, 2018 Rochester City Board of Zoning Appeals meeting. Trent Powell moved to adjourn the June 27, 2018 Rochester City Board of Zoning Appeals meeting at 6:15 P.M. Teresa Houser seconded the motion. Motion carried as follows: Teresa Houser, Trent Powell, Bob Cannedy, Rick O'Neill and Duane Border being in favor and no one opposed being in favor and no one opposing.

ROCHESTER CITY BOARD OF ZONING APPEALS

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ATTEST:		
10-011-1111-1111-1111-11	Heather Redinger, Administrative Secretary	

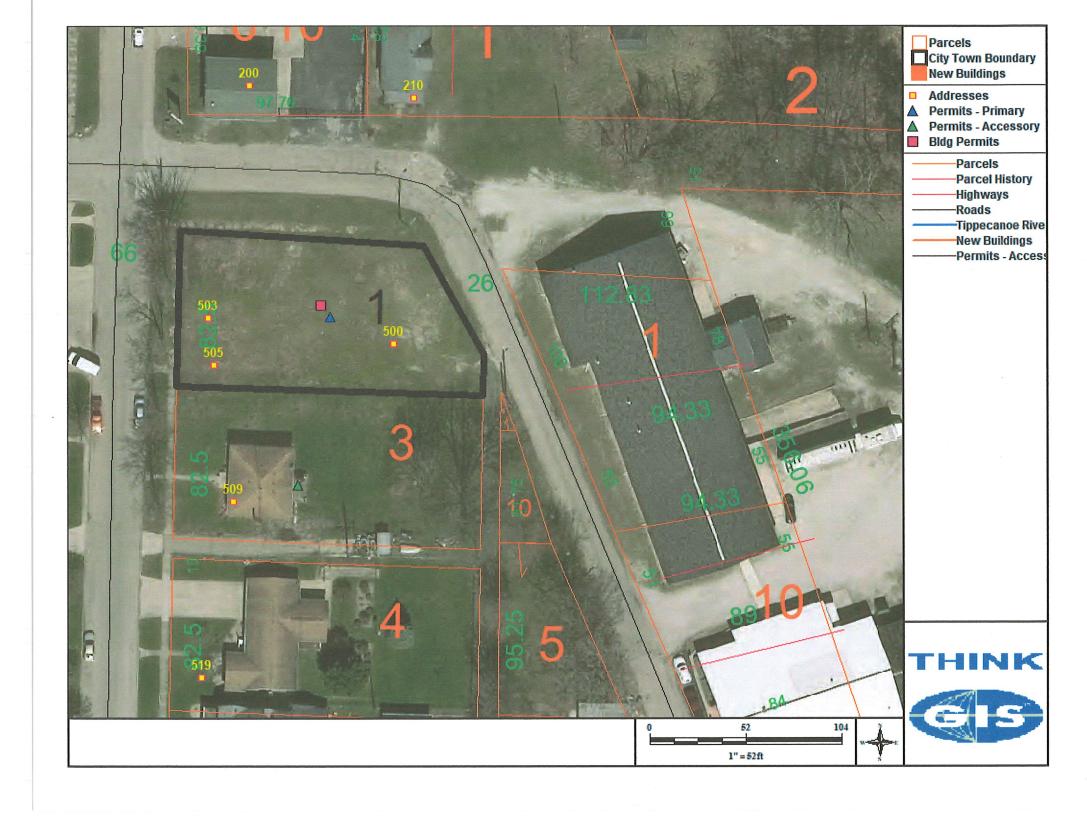
# Docket #506-0618 Roy Swartz Development Standard Variance & Special Exception

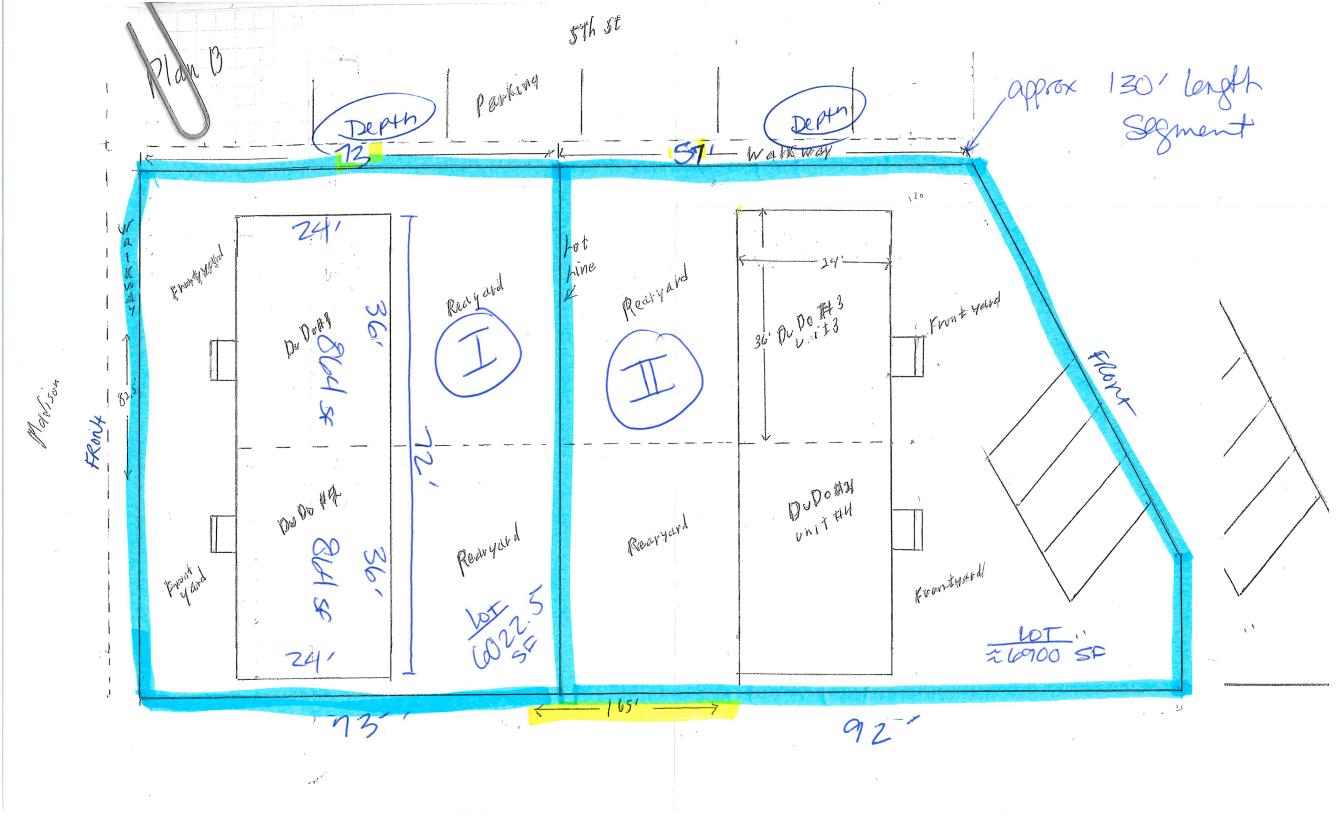
Roy Swartz (#506-0618) is requesting a special exception to allow multi-family housing, within the downtown commercial (DC) district, and development standard variances off of the minimum lot depth for the purpose of a split on property located at 505 Madison Street, Rochester, IN.

Mr. Swartz would like to split the lot into two lots, and construct a duplex on each lot. The DC district permits only upper-floor housing. Single and multi-family housing requires a special exception.

The minimum lot depth for a newly created lot is 120', the newly created lots would be approximately (west) 82.5' x 73' and (east) 82.5' x 57' (on the short side), therefore a variance of 47' off of the minimum lot width for the west lot, and 63' off of the minimum lot width for the east lot. (Please see diagram)

The requests are for a special exception to allow multi-family housing, within the downtown commercial (DC) district, and development standard variances off of the minimum lot depth for the purpose of a split on property located at 505 Madison Street, Rochester, IN.





#### DEVELOPMENT STANDARD VARIANCE QUESTIONNAIRE

•	What district is the project taking place within and what are the required development standard for that district that are applicable to this petition request?	ls required
	DC - Min depth = 120'	
•	How much of a variance is needed (footage)?  VOV   an Q	101X - USIN
der	What is the project needing a variance (bedroom, bathroom, etc.)?  What is the project needing a variance (bedroom, bathroom, etc.)?  What is the project needing a variance (bedroom, bathroom, etc.)?	Side Side
•	What are the exact dimensions of the project (12' x 12')?	*
e	What is the reason the required development standards cannot be met?  Politically Wants to put lost	ants
•	Has Health Department approval for septic & well been obtained, if applicable?	
	SITE PLAN	#1

#### SPECIAL EXCEPTION QUESTIONNAIRE DWELLINGS

What district will the dwelling(s) be placed within and address of location?	
DC-505 Madison St. Pochester	
What type of home will the Dwelling(s) be and what size?	
(2) duplexes - 24' x 72'	
each Unit 24'x36'-861SF	
lach 2 bedren UNIS	
Have they received Health Department approval for septic & well or hooked up to the City s  City Sever Water availability - bi  MSYREET & GH Street Miling Possil	Th' C
SITE PLAN	

#### Interested Party Legal Notification

#### 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,

Roy Swartz # 506-0618

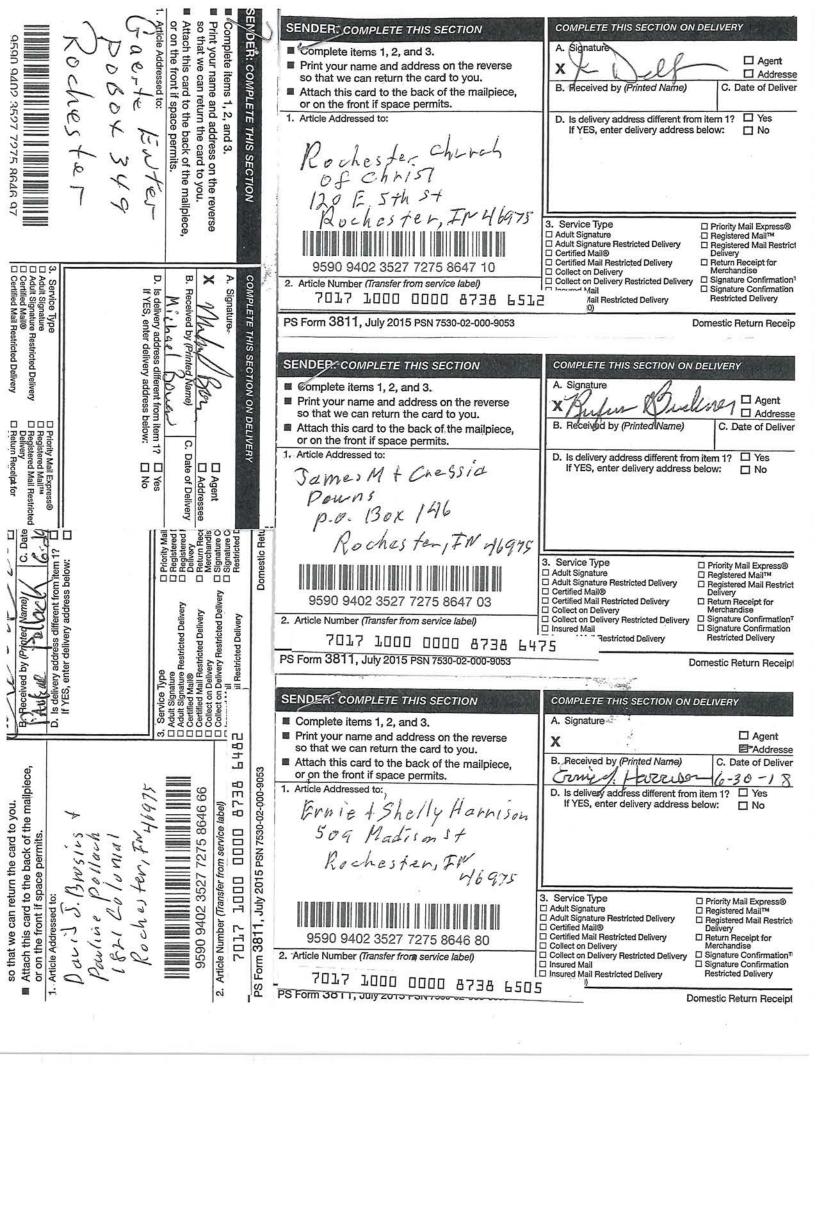
Located at: 505 Madison Street, Rochester, IN 46975

#### 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.

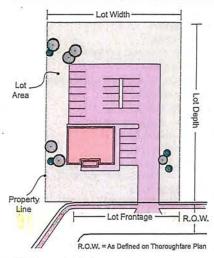
The signature of any person on the form is not to be construed as a waiver or consent to the petition, but merely evidence that the person has received notice of the hearing.

509 Madison St	
Rochester, IN 46975	
221 E 5th St	
Rochester, IN 46975	
P O Box 146	
Rochester, IN 46975	
1821 Colonial Dr	
Rochester, IN 46975	
Po Box 224	1 1 1 1 1 1
Rochester, IN 46975	Naulene Dentos
120 E 5th Street	
Rochester, IN 46975	156
8	
	221 E 5th St Rochester, IN 46975 P O Box 146 Rochester, IN 46975 1821 Colonial Dr Rochester, IN 46975 Po Box 224 Rochester, IN 46975 120 E 5th Street



#### **DC** District

#### 4-1.24 "DC" District Standards



#### Minimum Lot Area:

• 6,000 square feet

#### Minimum Lot Width:

50 feet

#### Minimum Lot Depth:

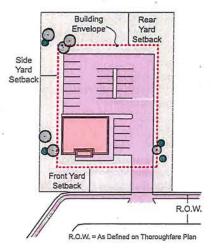
• 120 feet

#### Minimum Lot Frontage:

 50 feet on a Public Street with access from said Public Street

#### Sewer and Water:

· Requires municipal water and sewer hookup.



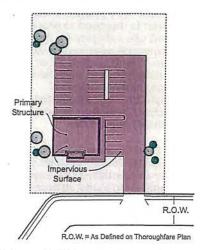
#### Minimum Front Yard Setback:

#### Minimum Side Yard Setback:

· 0 feet

#### Minimum Rear Yard Setback:

· 0 feet



#### Minimum Lot Coverage:

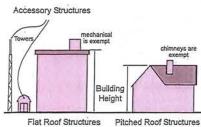
 square feet of all primary and accessory structures, may cover 95% of the Lot Area.

Minimum Floor Area:
•1,000 square feet for Primary Structures

#### Minimum Main Floor Area for Dwellings/Living Space:

- 980 square feet for one story Primary Structures; or
- 14' x 70' single wide mobile home; or
- ·850 square feet for multiple story Primary Structures, provided that the total Finished Floor Area is 1,200 square feet or more.

Site Plan Requirements
The Fulton County Technical Review
Committee shall review the site plan all newly created projects, or expansion projects, within the Downtown Commercial District prior to the com-mencement of any site development/ construction.



(from highest section of flat roof)

Pitched Roof Structures (from highest point of roof)

#### Maximum Structure Height:

- 45 feet for the Primary Structure
- 25 feet for Accessory Structures (height of Accessory Structures may not exceed the Primary Structure)
- A survey with the seal of a licensed surveyor/engineer/architect shall be provided with the creation of any new legal descriptions.
- \*\*Drainage Plans and an Impervious Surface schematic showing the total Lot Coverage will be required with all new structures. Any drainage plan not showing water retention within lot lines must have the approval of the Fulton County Surveyor
- A survey with the seal of a licensed surveyor/engineer/architect may be required to resolve any question of setback compliance.



#### Business: Recreation Permitted Uses Continued

Vəlla gnilwod sales lied

video store looq gnimmiwe oilduq no etsving

karate studio dance/aerobics/gymnastics studio

Communication/Utilities theater, indoor

telephone exchange

noitsts VT\oibsn

school - educational use (any) Institutional/Public Facilities

· home occupation #1 Miscellaneous

#### pecial

esingle family housing boarding or lodging house bed and breakfast facility Residential

automobile repair, minor Business: Automobile Service enisuod vimet-itlum

Business: Food Sales/Service · gasoline service station

· roadside food sales stand farm market

Business: General wholesale produce terminal

· funeral home/morfuary

· motor bus station

Business: Recreation veterinary hospital, including boarding

· bar/night club lish teuprisd

moor ebsors/brsillid.

Business: Office/Professional · lodge or private club

MTA\eninchine bank machine\ATA · drive-thru bank/credit union

Communication/Utilities

public utility substation

Institutional/Public Facilities

child caring institution

church, temple or mosque

government office community center

point poorhood recycling collection шпәѕпш

post office police/fire station parking garage

public/private parking area

public park/recreation center

• plumbing supplies • radio, TV, music service & sales bet shop doys umed. office supplies. paint store · news dealer/bookstore

· toy, hobby or game store

· stationery /office supply store

· music store

noles gninnet

· spoe repair

health spa

noles lismagniì .

· dress making

coin laundry day care facility

don's gnisseng/holist

edry-cleaning service

parber/beauty shop

· publishing company

photographic studio

print shop/copy center

Business: General

· travel agency

· title company

escretarial service

· professional offices

investment firms

insurance office

design services

MTA\eninchmachine\ATM

· bank/credit union

accounting office

grocer/delicatessen

enote store store

srchitecture.

restaurant

· meat market

· bakery retail

exception)

· variety store

spoot gnihods.

moorwode lister.

sales sons.

· real estate office

reading clinics

· law office

Business: Personal Service

electrical or plumbing contractors

hospital sanitarium/rehabilitation cen-

clinic medical/dental/optometrists

Business: Office/Professional

Business: Food Sales/Service

satellite dish sales & service (no outdoor storage/display without special

· temporary services agency

service organization offices

· liquor sales

a land use category for normal

strive to use this district within incorporated limits in order to Boards of Zoning Appeals should

The Plan Commission and Boards in Fulton County.

to minimize parking lots between of Zoning Appeals should strive

Residential

dwelling, single-family (upper floors)
 dwelling, two-family (upper floors)
 dwelling, multifamily, (upper floors)

Business: Auto Sales/Services

· automobile part sales (new)

purpose of vehicle sales. • automobile sales, service center, vehicle testing/demonstration track for

filling/gas station - no repair or installa-

tion service

Business: Retail

spparel shop

sublished shop

csrd shop

heating and cooling sales/service

camera/photographic supply shop

eart gallery

dous entitue.

Permitted Uses

buildings, rather, encouraging parking behind buildings,

The Plan Commission and compatible with residential districts, as well as, inner city/town commercial districts. should make the district commercial uses in downtown areas. The provisions that regulate this land use district

District is intended to provide The "DC" (Downtown Commercial)

District Intent

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dods gniment

· jewelry store

dous Hib.

hardware store

• furniture store

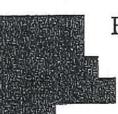
flower shop

- floor coverings (including carpet, tile,
  - electrical supplies

· millinery/fabric shop

- edrug store edepartment store

commercial, retail, and office uses within the cities and towns located of small-scale pedestrian oriented create a special mixed-use area



# Fulton County Area Plan Commission 125 East 9th Street Suite 012 Rochester, IN 46975 Phone: 574.223.7667 Fax: 574.223.3652

http://co.fulton.in.us/advisory/ plandirector@rtcol.com

#### Owner Verification Form

1, Harold (	Stello, owner	of lot located a	t <i>6</i> 05	Madiso	n St,
Romester	_ / N equaling	approximately	.30 acre	es do hereby ce	rtify that
Ru Sinv	1 '			uquest a	
exception	& Varia	nce to	build	two d	uplexes
on the above stated _	220 (20				
		1.0			
Howle Costa	lo		6.	-25-18	
Owner's Signature				Date	
	***************************************		********		
NOTARY:					SHYLO
State of Ind County of F Subscribed	iana ] ulton ) SS: and sworn to before n	ne this 25 th	day of Ju	NE.	AVD6
Notary Publ Printed Nam	nc Gudina a Mo Notery Pul ne Judith A.	ebel N Olic, Signed	у <u>саншіз</u> Тику	100 EXPIRES 13, 2024	STANKE STANKE
		CULDEL			

FINE(S) NOTES	\$1,450	\$350 paid \$350	extension	working on bids for someone to remove	\$350	\$350	working on state release	\$350	\$350	\$150 paid \$150.		Extension given hr			variance		tax sale																	affirmed demoltion 05/07/18	affirmed demoltion 05/07/18	affirmed demoltion 05/07/18	
DEADLINE FIN	7/28/18 \$1,	\$3	7/31/18		7/28/18 \$3	7/28/18 \$3		7/28/18 \$3	7/28/18 \$3	7/28/18 \$1:		8/15/18	7/5/18	7/5/18		7/15/18		7/28/18	7/28/18	7/28/18	7/28/18	7/28/18	8/2/18	8/2/18	8/2/18	8/2/18	8/2/18	8/2/18	8/2/18		5/20/18	5/20/18					
VIOLATION	vehicles and debris	vehicles and debris	semi trailer	debris from demo	trash and debris	trash and debris	illegal structure	trash and debris	trash and debris	trash and debris	illegal structure	trash and debris	signs needs maintenance	signs needs maintenance	fence not in compliance	mobile home, vehicles, racetrack	vehicles, scrap, debris	illegal structure	illegal structure	trash, debris, vehicles	trash	vehicles	trash, debris, vehicles	camper	living in Rv's	trash and debris	living in Rv	vehicles, trailer	semi trailer	BUILDING LETTERS	needs repaired	needs repaired		burnt out home	impaired structure	burnt out home	
ADDRESS	2880 Bachelor	512 E Main	3451 Strawberry Lane	4389 N SR 25	2840 Main St, Macy	2857 Susnet	8281 E 100 S	9658 Section Drive	9050 W 100 N	7801 Tippecanoe Shores	129 W 5th	2869 S 700 E	2088 Peacetree Village	919 E 9th	6237 S 250 W	1617 W 500 S	4351 N SR 25	6314 S 350 E	31 S 650 E	6379 E SR 14	208 W Main	18 W 18th	7227 S 325 E	750 S, Macy	6401 S 350 E	6166 N Lakeshore	1023 S 1000 E	Lot 3 Schoolview	Sycamore Drive		316 W 8th	322 W 8th		7199 N 475 E	6343 N Sunset	6373 N Sunset	
OWNER	Suemagi	Kile	Trott	Shull	Emery	Emery	Weaver	GVI Group	Henry	Troxel	Bell	Shepherd	GLMS	Ginger Caswell	Ben Gray	Cavallaro-Cuthburt	Resident	Hutchins	See	Woodcox	Richie	Overmyer	lhnen	Fincher	Eaton	Carlile	Tonys Towing	Carpenter	Whitworth		Henderson	King	Pan	Snelling	Davis	Hardacre	
DATE	01/18/18	02/28/18	02/28/18	03/22/18	03/22/18	03/22/18	03/27/18	03/28/18	03/28/18	05/01/18	05/10/18	05/10/18	06/05/18	06/05/18	06/05/18	06/05/18	06/05/18	07/13/18	07/13/18	07/13/18	07/13/18	07/13/18	07/17/18	07/17/18	07/17/18	07/17/18	07/17/18	07/17/18	07/17/18		05/10/18	05/10/18	05/10/18	11/13/17	08/17/17	02/28/18	

\$2,000 Court Action	\$2,000 Court Action	
trash and debris	permits revoked	
411 E Phillips	1115 Main	
Vanderbrink	Gehrich	
08/17/17	08/17/17	

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+			Building Letters			
$\dashv$	Edward Dunn	4330 McCarty Lane	Needs removed			Affirmed demolition 03/06/17 Court date 09-29-17
02/17/16	Salyer	7461 Main	demo			Confirmed demolition, going up for tax sale Sept 7
06/15/16	Powell	5866 N Old 17	impaired structure			Tear down in fall of 2016
08/03/15	Bailey	13970 E SR 114	trash debris			making Payments
10/09/14	Tammy Pope	9101 Adams	trash			making Payments
08/27/14	Cassandra Looker	7258 S 500 W	trash and debris	2/5/15	\$2,000	2/5/15 \$2.000 making Payments

# 7/9/2018

# MONTHLY REPORT FOR THE

# FULTON COUNTY PLAN COMMISSION OFFICE

Permits issued in June		YTD
Non-Commercial	32	151
Commercial		13
Sign	2	12
Building	26	108
Temporary Use	0	0
Electrical	7	37
Electrical License	2	25
Plumbing License	-	9
Applications Submitted in June		YTD
Special Exeptions	3	8
Administrative Appeals	0	0
Development Standard Variance	2	17
Rezone	0	0
Fees Collected in June		YTD
Permits	1,055.53	5,958.87
Applications	240.00	1,440.00
Copies	4.80	10.10
Fines	170.00	4,445.55
City Building Permits	1,783.15	5,053.25
County Building Permits	675.00	2,350.00
Electrical License	20.00	250.00
Plumbing License	25.00	105.00
TOTAL:	3,973.48	19,612.77