

**ROME CITY PLAN COMMISSION**  
**Regular Meeting**  
**October 20, 2022**

The Rome City Plan Commission held their regular meeting on Thursday, October 20, 2022, at 6:30 p.m. in the Rome City Town Hall. The meeting was called to order by Plan Commission Chair Kelly Morris at 6:30 p.m.

Members Present:

|                            |              |
|----------------------------|--------------|
| Leigh A. Pranger-Secretary | Kelly Morris |
| Barb Tatman                | Kirk Klein   |
| Joe Bertels                | Brent Leiter |
| Stephen Cole               |              |

Rollcall determined a quorum was present.

Interested parties in attendance: Dustin Glick-Town Attorney, Jim and Renei Coomler, Dennis and Rose Carpenter, Mickey Rhetts, Larry Weisenberger, Roger Smith, John and Pam Lipasek, Don and Gloria Sutton, Don Sutton, Todd and Jennifer Stayer, Phil and Marcia Rodenbeck, George Vandermeier, Joe and Julie Ryne, Tom Crist, Terry Gaff, Pam Baker, Dave Desper, Hal and Kandi Schafer, John Martin, Pat Hess, Attorney for Mark Webb, Mark Webb, Duane Brown-Engineer for Mark Webb, Stan and Mary Wilson, Robin and Rob Hormann, Landan and Keri Tackett, Doug Gilbert, Allen Baskett, Juergen Hinz, Derek and Sydney Hefty, Doug Atz, Charlotte LaVigne, Heidi Lang, Caden LaVigne, Treva Finn, Todd LaVigne, Donald Sutton, Robert Isaacs, Bryan and Karen Rider, Christine Coe, Mark and Heather Shaver.

Member Tatman made a motion to waive the reading of the minutes and approve them as presented. Second by Member Klein. All in favor-aye. Motion Carried. The minutes were posted on the bulletin board for everyone to read.

**OLD BUSINESS**

Solar Ordinance. On hold until Noble County passes their ordinance.

**NEW BUSINESS**

Tabled from September Meeting:

**Major Subdivision #2022-13.**

Jeff & Yvette Reece, 1375 Hilltop Drive, Rome City IN 46784 owners of a 2.83 Acre parcel on the westside of Pleasant Point, south of the channel and north of Gene Stratton-Porter's property in Rome City Indiana. They are requesting primary and secondary approval of a three major subdivision, 2.37 Acres hereby by known as "Reece's Pleasant Woods Addition", more fully described as a subdivision located: A tract of land located in the northwest quarter of Section 229, Township 35 North, Range 10 East, in Noble County, the State of Indiana  
Rezoning petition #2022-17.

Treva Finn, realtor for Jeff Reece, was present with a request to table Subdivision #2022-13 and

Variance #2022-14 to the November 17, 2022 meeting as the Reece's plan to make changes to the proposed plat. Member Tatman made a motion to table Subdivision #2022-13. Second by Member Klein. All in favor-aye. Motion Carried.

**Rezoning #2022-17**

Noble Trails, Inc., 700 Lakeside Drive, Rome City, IN 46784: The proposed amendment involves consideration of a change of zoning classification from Parks and Recreation (PR) District to a Single-Family Residential (SR) District for the Old Limberlost Golf Course north side of 900 N, Rome City, IN 46784; the property is further described as: A tract of land located in the Southwest Quarter of Section 15 and the Southeast Quarter of Section 16, Township 35 North, Range 10 East, Noble County, the State of Indiana, as surveyed by Joshua P. Lash, Indiana Professional Surveyor #20900180 and shown on a plat of survey certified on June 23, 2022, as Midwest Land Surveying, LLC, Project #35-10-15-011.

**Simple Subdivision #2022-18.**

Noble Trails, Inc., 700 Lakeside Drive, Rome City, IN 46784 owners of ole Limberlost golf course on the northside of 900 N, in Rome City, Indiana. They are requesting primary and secondary approval of a 2-lot subdivision, containing 37.83 acres hereby known as "Limberlost North Subdivision", more fully described as follows: A tract of land located in the Southwest Quarter of Section 15 and the Southeast Quarter of Section 16, Township 35 North, Range 10 East, Noble County, the State of Indiana, as surveyed by Joshua P. Lash, Indiana Professional Surveyor #20900180 and shown on a plat of survey certified on June 23, 2022, as Midwest Land Surveying, LLC, Project #35-10-15-011, Tracts 2, 3 & 4 the full description is on file in the town hall.

Chair Morris called for the Rezoning and Subdivision to be heard at the same time, she called for Noble Trails to present their case to the board. Dr. Terry Gaff introduced himself to the board, as the President of Noble Trails, non-profit group, he stated the area to be rezoned and subsequently divided into two lots is approximately 37+ acres. He noted the Trails will be keeping the parcel along the south edge and they will be deeding off a small portion to Landan Tackett to square up his yard. Dr. Gaff stated Mr. Peterman donated the land to Noble Trails with no restrictions and fully expected the trails group to sell the land to continue to build trails in Noble County. Dr. Gaff informed the board the group did offer the acreage to the Town of Rome City and Rome City stated they did not want the property as they already have five parks. Dr Gaff stated the trails group has explored other options for the property such as storage barns for lake equipment. The group decided this would take away from their main purpose which is to build trails not to get into the rental business. Dr. Gaff stated the group decided it would be best to sell the property and use the money to build more trails and trail heads. Member Bertels asked about the sizes of Lots 1 and 2. Dr Gaff stated Lot 1 is 36.97 acres and Lot 2 is .87 acres, he noted only two houses will be allowed to build. He added they are requesting Lots 1, 2 and the portion going to Mr. Tackett be rezoned from Parks and Recreation to Single family residential. He added the Parks/Recreation zoning does not allow for homes to be built. He informed the board that Noble Trails does not have the means to maintain the property they only have one maintenance person for the entire trail and the rest of work is performed by volunteers. The Town of Rome City has allowed them to only mow along the trail and 900 N as a courtesy.

There being no further questions, Chair Morris called for interested parties on Rezoning #2022-17 and Subdivision #2022-18. Secretary Pranger asked for the certified green cards to be submitted along with any letters on the petitions. Mr. Doug Atz submitted and certified all adjoining owners were notified. Secretary Pranger then read an email from a Bley living in Oak Shores, stating no one is buying the land in her addition for houses and she would like the area to remain natural for all to enjoy. Tom Crist, 881 Harbor Ct, stated he has no opinion on the judgement of the development, but he would want to know the number of homes to be built, if not homes then what will they be doing with the land. He noted, he would want to know the where the streets will be, how are they getting their water and where will they connect to sewer. He added that Noble Trails could development something that will be a benefit to the community. Town Attorney Dustin Glick stated all that is in front of the board is a two-lot subdivision with a rezoning to allow the construction of two houses. Bryan Rider, Lions Drive, asked if there will be driveways out letting to Lions Drive? Dr. Gaff stated Lot 2 can use the alley access if necessary and the Lot 1 has been given an easement to cross the trail onto 900 N. Caden LaVigne, 854 Lions Drive, stated his concerns are environmental, this land presents a different opportunity for the town, it has a lot of potential-to keep the land natural to allow diverse plants and animals to expand into this area. He stated the golf course stimulated the economy by bringing people to Rome City and this area has the ability to bring people to Rome City. Dr. Gaff stated the trails have and are bringing people to Rome City -Noble Trails is stimulating the economy. Dr. Gaff noted that Gene Stratton Porter is just a short walk down the road in its natural state. Mr. LaVigne stated it's nice to have the nature in his backyard, because once the land is sold there is no going back. He stated ACRES land trust would be happy to take the land to protect and preserve. Charlotte LaVigne, 854 Lions Drive, stated she and her husband bought their house because there was nothing built behind them except the golf course. She stated she would hate to have to look at houses from her back deck and asked the board to keep it natural. She stated she has seen a bald eagle, deer, and fox using the land. Joe Ryne, Lions Drive, stated he loves the trails and the natural beauty in the field it looks like the golf course is reverting to a wild prairie. He cautioned that once the land is subdivided there is no going back from the development. He asked Noble Trails why didn't they open up the sale to all persons to purchase? Dr. Gaff stated Noble Trails had an offer and accepted it. Julie Ryne, Lions Drive, stated she has seen the changes throughout the years in Rome City and other cities, as natural land is paved and built upon. They have been destroying the landscape of the community and we have an opportunity to keep a natural area. Mr. Ryne stated that Sylvan Lake already has density issues more housing will add to this, he noted this could be an extension of Gene Stratton-Porter. Kandi Schafer, Hilltop Drive, stated if the land was donated then it should be used by Noble Trails. She asked about the sewer capacity for the town and if it can handle more users? Secretary Pranger stated we have enough capacity for 2 additional homes. Dr. Gaff stated the donation of the Golf Course was given without restrictions on how Noble Trails could use the land or sell the land.

Chair Morris called for any other interested persons on Noble Trails proposal. There being none, she called for Noble Trails rebuttal. Chair Morris closed the public hearing portion of the meeting. Dr. Gaff stated this is a 2-lot subdivision the most being built will be 2 houses, we are not asking for any variances as the plat meets the town's codes.

Member Joe Bertels, asked for clarification on the property is currently zoned parks/recreation

and asking to rezone to Single family residential, there are 2 buyers, issues with driveways, Lot 1 will be using an easement across the trail on 900 N, Lot 2 will use the alley or Lions Drive. Member Bertels stated the development of this land runs contrary to Noble Trails mission statement. On Noble Trails website it states one of the missions is to encourage natural beauty, then how do you rationalize selling off land in its natural state? Dr. Gaff stated Noble Trails main mission is to build more trails. He further noted beauty is in the eye of the beholder. By selling this property it will allow the trails group to build more trails and stop people from biking on the roads. Dr. Gaff stated we are not asking for a huge subdivision; it is only 2 lots. Chair Morris asked if they have thought about keeping the 7.91 acres tract for a natural buffer along the trail. Dr. Gaff asked who will maintain the 7+ acres, Noble Trails does not have the structure to maintain an area this large and they currently purchased a 2 acres tract in Kendallville they have to maintain i.e., mow. Member Tatman asked who is buying Lot 1? Dr. Gaff stated they have one buyer for Lot 1 and one buyer for Lot 2. Member Stephen Cole asked about the access to Lot 2? Dr. Gaff stated there are 2 platted alleys off Lions Drive that can be used for access to the lots. Member Leiter stated his support of the trail and asked if there would be a compromise to keep a natural buffer along the trail and the development. He noted it is a big ask to go from Parks/Recreation to Single family zoning. Attorney Glick stated the board will vote on the Subdivision Limberlost North.

Member Leiter made a motion to accept Subdivision #2022-18 as presented. Second by Member Tatman. Rollcall for vote: Barb Tatman-Yes, Brent Leiter-Yes, Kelly Morris-Yes, Kirk Klein-No, Joe Bertels-No, Stephen Cole-No, Leigh Pranger-Yes. Motion carried.

Member Pranger made a motion for a favorable recommendation to the Town Council on Rezoning #2022-17. Motion died due to a lack of a second.

Dr Gaff stated a decision not to rezone will leave the trails group with unusable ground they cannot sell.

Member Pranger made a no recommendation to the Town Council on the rezoning. Second by Member Bertels.

Rollcall for vote: Barb Tatman-Yes, Brent Leiter-Yes, Kelly Morris-Yes, Kirk Klein-Yes, Joe Bertels-Yes, Stephen Cole-Yes, Leigh Pranger-Yes. Motion carried.

**Standard Subdivision #2022-08.**

Sylvan Lake Properties, LLC., 4051 E 850 N, Rome City, IN 46784 owners of the old James Wolfe property on the northside of 850 N between Limberlost Trail and Antler's Point. They are requesting primary approval of a 12-lot subdivision (8 home sites and 4 accessory lots), containing approximately 15 acres hereby known as "Limberlost Landing", more fully described as follows: : A tract of land located in the Northwest Quarter of Section 23, Township 35 North, Range 10 East, in Noble County, the State of Indiana, as prepared by Duane A. Brown, LS #80040337, D. A. Brown Engineering Consultants, Inc., Job No. 2106-12. Based on information on survey prepared by Joshua P. Lash, Indiana Professional Surveyor #20900180 and shown on a plat of survey certified on May 25, 2021 as Midwest Land Surveying, LLC, Project No. 35-10-

23-003A), the full description is on file in the town hall.

**Rezoning petition #2022-09.**

Sylvan Lake Properties, LLC., 4051 E 850 N, Rome City, IN 46784: The proposed amendment involves consideration of a change of zoning classification from Single-Family Residential (SR) District to Lake Residential (LR) District for the old James Wolfe property located on the north side of 850 N, between Limberlost Trail and Antler's Point. The property is further described as: A tract of land located in the Northwest Quarter of Section 23, Township 35 North, Range 10 East, in Noble County, the State of Indiana, as prepared by Duane A. Brown, LS #80040337, D. A. Brown Engineering Consultants, Inc., Job No. 2106-12. Based on information on survey prepared by Joshua P. Lash, Indiana Professional Surveyor #20900180 and shown on a plat of survey certified on May 25, 2021 as Midwest Land Surveying, LLC, Project No. 35-10-23-003A), the full description is on file in the town hall. The final decision will be made by the Rome City Town Council on Monday, November 14, 2022, at their regular 6:30 p.m., Town Council meeting.

Chair Morris called for the Rezoning and Subdivision to be at the same time and called for Sylvan Lake Properties to present their case. Mark Webb, owner of Sylvan Lake Properties introduced Pat Hess, Attorney and Duane Brown, Engineer. Mr. Webb stated he is a resident on Limberlost Trail and decided to purchase the Wolfe property to keep it from being developed into a large subdivision. Attorney Hess took over the presentation and passed out packets to the board members and thanked the board for hearing both petition at the same time. Attorney Hess informed the board the rezoning will be from Single family residential to Lake Residential although we do not need to rezone in order to do the development it is the best fit for the property in question. He noted the rezoning request does include the Mountz parcel even though they are not included in the Subdivision. He added that state law allows an owner who owns at least 50% of the area to be rezoned to include parcels of land outside the development in the rezone for cohesive zoning. Attorney Hess then instructed the board to turn to Tab 2 in the packet showing the Rezone Area. The area outlined in yellow in the Chris Wolfe and Mountz properties which will be excluded from the plat. The green area in the area to be rezoned and platted. The orange area is the excess acreage not included in the plat or rezoning; it is currently being used as farm ground. Attorney Hess then directed the board to Tab 3 in the packet, which shows the primary 8 lot plat, all lots along the lake, Lots 1, 2, 3, and 4 all have an accessory lot associated with them which are tied together by the restrictive covenants. The covenants stated the accessory lots will belong to the corresponding primary lots in the plat. Attorney Hess directed the board to the primary plat showing the large lots sizes ranging from 16,000 sq. up to 95, 072 sq. ft. They all have the required lake and road frontage per the UDO. Moving to Tab 4, page 32 in the town's comprehensive plan which states Lake Residential zones will be along the perimeter of Sylvan Lake, they shall be single family detached residences, with appropriate adjacent classifications of conservation, recreation and open space, low density residential, high density residential and lake residential. He then directed the board to the town's zoning map showing the lots adjacent to Sylvan Lake are zoned for lake residential, basically wherever there is water it is zoned Lake Residential. Antler's Point was rezoned to lake residential. By rezoning to lake residential it will allow for responsible growth within the same zoning boundaries, the adjacent uses are all in alignment and will insure property values stay the same. Attorney Hess noted the Primary Plat is the first step and it that is approved the development and utilities will

be shown on the secondary plat. He noted the plat meets the town's unified development ordinance and complies with the comprehensive plan. He then directed the board to the proposed restrictive covenants to control the accessory buildings, the easement maintenance, ingress and egress issues etc... Chair Morris asked about Lot 4 it is showing 60' of lake frontage. Attorney Hess stated the map in the packet is small and hard to read. Duane Brown, engineer presented the board with a larger map showing the additional frontage in the curve of 22.5' and 21.1' plus the 60.6' making the 100' requirement. Chair Morris asked about what looks like land between the Mountz's property and Lot 5. Mr. Brown stated it just shows that on the map it's because the water's edge doesn't quite match up with the surveyed property due to the lake. Member Pranger asked about the road access will this be a private drive to access lots 1, 2 3, 4? Attorney Hess stated yes, and maintenance for it is described in the covenants. Member Klein asked about the accessory lots and if the covenants restrict no water, restrooms or living quarters in the units? Attorney Hess stated yes, it is covered in the restrictive covenants. Mr. Brown stated because of the covenants in the plat, you would not be able to obtain title insurance to separate the property. There being no further comments or questions from the board. Chair Morris called for interested parties on Rezoning #2022-09 and Subdivision #2022-08. Secretary Pranger read a letter from Mrs. Mountz regarding the rezoning, they are not in favor of their property being rezoned they would like to be autonomous from the development. Secretary Pranger informed the board she notified all adjoining owners by certified mail. All green cards were returned, and no comments came back. Attorney Hess stated it is up to the board to decide if you want to include the Mountz's in the rezoning. Mr. Webb stated he spoke with Mr. Chris Wolfe, and he has no objection to his property be rezoned. Chair Morris recognized Mr. Robert Issacs, owns the property on the west side of the private driveway to the development. He stated the current roadway is very small and does not allow for two vehicles to meet, He asked if the road will be widened? He voiced concern for the trash pick-up and the location of trash barrels, as the houses up the drive have to bring their garbage cans out to 850 N for pick up. Mr. Brown stated the travel way is narrower than the right-of-way. The ROW is 30' and the road can be widened to two lanes. Mr. Webb stated he spoke with Noble County Highway, and they are ok with the number of users accessing 850N in this location. He added that he and his family will also be using the access road and wants it to be safe. Member Tatman asked is the entire road a private easement and will it remain private? Attorney Hess stated yes. Audience member Pam Baker, owner on Hilltop Drive, stated 850 N is a bad road, it has no shoulders, and everyone drives left of center, and they travel above the speed limit. She stated her concerns for drivers accessing the road. Attorney Hess stated the ROW area along the 850 N is 75' wide, that would give plenty of room to pull in out of the traffic on 850 N. There being no further questions Chair Morris closed the public hearing and called for motions on the rezoning and Subdivision.

Member Leiter made a favorable recommendation to the town council to rezone from Single Family residential to Lake Residential to include Chris Wolfe and Mountz properties. Second by Member Cole. All in favor-aye. Motion Carried.

Member Leiter made a motion to approve Subdivision #2022-08 as presented. Second by Member Klein. Rollcall for vote: Barb Tatman-Yes, Brent Leiter-Yes, Kelly Morris-No, Kirk Klein-Yes, Joe Bertels-Yes, Stephen Cole-Yes and Leigh Pranger-yes. Motion carried

**MISCELLANEOUS BUSINESS**

Nothing for the agenda.

Next Meeting: November 17, 2022, at 6:30 p.m.

There being no further business Member Klein made a motion to adjourn the Plan Commission meeting at 8:00 p.m. Second by Member Bertels. All in favor-aye. Motion Carried.

  
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Kelly Morris, Plan Commission President

Attest:   
\_\_\_\_\_  
Leigh A. Pranger, Secretary

**ROME CITY PLAN COMMISSION**  
**Regular Meeting**  
**September 15, 2022**

The Rome City Plan Commission held their regular meeting on Thursday, September 15, 2022, at 6:30 p.m. in the Rome City Town Hall. The meeting was called to order by Plan Commission Chair Kelly Morris at 6:30 p.m.

Members Present:

|                            |              |
|----------------------------|--------------|
| Leigh A. Pranger-Secretary | Kelly Morris |
| Barb Tatman                | Kirk Klein   |
| Joe Bertels                |              |

Members Absent:

|              |              |
|--------------|--------------|
| Brent Leiter | Stephen Cole |
|--------------|--------------|

Rollcall determined a quorum was present.

Interested parties in attendance: Dustin Glick-Town Attorney, Josh Lash-Surveyor for Kline and Reece, Lucas Kline, Mr. Ramey, Jeff and Yvette Reece, John Lipasek, Don Sutton, Todd and Jennifer Stayer, Phil and Marcia Rodenbeck, Vicky Fiantt, Roger Smith, Don and Jane Selke, Terry and Kristin Lundquist.

Member Tatman made a motion to waive the reading of the minutes and approve them as presented. Second by Member Klein. All in favor-aye. Motion Carried. The minutes were posted on the bulletin board for everyone to read.

**OLD BUSINESS**

Solar Ordinance. On hold until Noble County passes their ordinance.

**NEW BUSINESS**

**Simple Subdivision #2022-12.**

Michael L. & Bridgett Kline, 0250 E 800 N, Wawaka, IN 46794 owners of a 2.91 Acre parcel on the northside of Front Street, between 302 and 430 Front Street, in Rome City Indiana. They are requesting primary and secondary approval of a one lot minor subdivision, 2.22 Acres hereby by known as "Ramey Estates", more fully described as a subdivision located:

A tract of land located in the southwest quarter of Section 9, Township 35 North, Range 10 East, in Noble County, the State of Indiana, more Fully described as follows.

Commencing at the southeast corner of said southwest quarter marked by a Harrison Marker found; Thence N 88°48'01" W (State Plane NAD83, Indiana zone East), along the south line of said southwest quarter, for 1023.60 feet to a pipe found and the point of beginning of the description; thence continuing N recorded in Noble County Document No. 200700055; Thence N 01°03'48" W, along the east line of said Last Resort , for 380.87 feet to a rebar found; thence S 88°48'01" E, parallel the south line of said southwest quarter, for 262.10 feet to a rebar found at the northwest corner of a tract of land conveyed to Michael T. Miller and Carolyn Miller per



Noble County Document No. 9609645; Thence S 01°12'31" W, along the west line of said Miller tract, for 380.57 feet to the point of beginning, said tract of land containing 2.22, more or less, and being subject to all public road rights-of-way and all easements of record.

Chair Morris called for Mr. Kline to present his proposal to the board. Surveyor Josh Lash stated he will be presenting on behalf of Mr. Kline. Mr. Lash passed out copies of the proposed 1-lot subdivision to the board. He stated that Mr. Kline owns a 2.91 acre parcel and he would like to divide and sell the land adjacent to Front Street and keep the back portion of the property. Member Tatman confirmed that only a portion of the acreage will be split? Mr. Lash stated, yes, they want to divide off the front portion of 2.22 acres. Member Tatman asked how the property to the back will be accessed if the front portion to the road is split. Mr. Lash stated the property adjacent to the back portion is owned by Mr. Kline and he can access the property through his property from the private road on the northside of the property. Mr. Lash informed the board the subdivision meets all the codes in Rome City's Unified Development ordinance. Member Tatman asked about the garage on what will be the new lot, will it be demolished or kept? Mr. Lash stated the garage will stay. Chair Morris asked about the adjoining properties and their uses? Mr. Lash stated on the west side are three lots with pole barns -zoned agriculture and a house on the east side zoned Central Business as the proposed subdivision is zoned. There being no further questions or comments, Chair Morris called for interested parties on Subdivision #2022-12. Secretary Pranger informed the board all interested parties were notified and five out of the nine notified returned with no comments. No one was present in the audience on this petition. Chair Morris called for a motion. Member Tatman made a motion to approve Subdivision #2022-12 as presented. Second by Member Klein. All in favor-aye. Motion Carried. Chair Morris and Secretary Pranger signed the plat and stamped the town seal for approval.

**Major Subdivision #2022-13.**

Jeff & Yvette Reece, 1375 Hilltop Drive, Rome City IN 46784 owners of a 2.83 Acre parcel on the westside of Pleasant Point, south of the channel and north of Gene Stratton-Porter's property in Rome City Indiana. They are requesting primary and secondary approval of a three major subdivision, 2.37 Acres hereby by known as "Reece's Pleasant Woods Addition", more fully described as a subdivision located:

A tract of land located in the northwest quarter of Section 229, Township 35 North, Range 10 East, in Noble County, the State of Indiana, more fully described as follows.

Commencing at the northwest corner of said Northwest quarter marked by a Harrison Marker found this survey; thence N 89°45'41" E (State Plane NAD83, Indiana zone East), along the north line of said northwest quarter, for 1290.72 feet to the point of beginning marked by a rebar found; thence continuing N 89°45'41" E, along the north line of said northwest quarter, for 266.39 feet to a rebar set on apparent south right-of-way of a public highway; thence S 28°13'24" E, along said south right-of-way line, 175.45 feet to a rebar found; thence S 69°13'08" E, along said south right-of-way line, for 161.84 feet to a rebar found on the north line of a tract of land conveyed to State of Indiana, Department of Natural Resources per Noble County Document number 9712124; thence along the north line of said State of Indiana,

Department of Natural Resources Tract for the following four bearings and lengths: thence S 39°45;36" W, for 97.23 feet to a rebar found; thence S 45°27'11" W, for 91.75 feet to a rebar found; thence 64°26'40" W, for 164.14 feet to a rebar found; thence N 61°25'59" W, for 331.14 feet to a rebar set; thence N 28°34'01" E, for 137.61 feet to the point of beginning, said tract of land containing 2.37 acres, more or less, and being subject to all public road rights-of-way and all easements of record.

**Variance #2022-14**

Jeff and Yvette Reece, 1375 Hilltop Drive, Rome City, IN 46784 are requesting relief from Rome City Unified Development Ordinance for a variance from Article 2.12 Lake Residential District Development Standards requirement of 100' of lake frontage down to 39' for Lot C, requirement of 100' of road frontage down to zero for Lots A & C in Reece's Pleasant Woods Addition. This will allow for a 3-lot subdivision to be platted between Hilltop Drive and Pleasant Point.

Chair Morris called for Mr. Reece to present his petitions to the board. Surveyor Josh Lash stated he will be presenting for the Reece's. Mr. Lash passed out copies of the proposed 3-lot subdivision and noted the necessary variances. The three variances are needed for the subdivision. Lots A and B need a variance on the lack of 100 feet of road frontage. As the ingress and egress easement will not be an official road it will remain private. The third variance is for Lot C it will not have the required 100 feet of lake frontage. Mr. Lash noted there are notes on the face of the plat for the maintenance and access for the private drive and utility easement. He noted Lot A is .74 acres mostly wooded with lake frontage, Lot B is .83 acres with lake frontage and Lot C is .80 acres with 35 feet of lake frontage. Mr. Reece owns to the west and will be adding .46 acres to his existing lot at a later date. Member Morris asked why they need to ask for three variances? Mr. Reece stated there is a gas line that runs through the property, the new utility/driveway easement follows the gas line easement from Hilltop to Pleasant Point Drive. Member Friskney asked why the property lines extend into the lake? Mr. Lash stated the property lines run to the section lines. Sylvan Lake is a man-made lake which was dammed up for the Erie Canal so many homeowners own out into the water. Member Pranger asked about the design of the sewer and easements for the lines and stations? Mr. Lash stated this will be designed by an engineer and easements will be added if necessary. Mr. Lash added the drainage, and the runoff will run to the channel into the lake and rock seawalls will be installed along the lake to match the rock seawall of Mr. Reece. Mr. Reece stated there is a ditch/ravine running through the property from Gene Stratton-Porter the state property. He added that he has installed a filter strip and straw to help alleviate the runoff into the lake. Mr. Lash stated the private drive/easement follows an existing drive cut into the property with a culvert onto Pleasant Point. They are asking for the private drive to be the road access for Lots A and B. The lake frontage for Lot C will be in the southeastern corner of the channel by the culvert this will allow Lot C access to the lake. Member Pranger asked where the 35' lake frontage line starts by the culvert. Mr. Lash stated the property line runs directly down the middle of the culvert. The 35' includes half of the culvert. Member Pranger asked how will that be usable front with ten feet being taken up by the culvert? There being no further questions or comments, Chair Morris called for interested parties on Subdivision #2022-13 and Variance #2022-14. Secretary Pranger informed the board that all parties were notified by certified mail and green cards returned.

Mr. Donald Sutton, 1165 Pleasant Point stated that Mr. Reece is asking for 3 variances and the property is large enough they should not need variance especially if they install a roadway. Mr. John Lipasek, 1075 Pleasant Point, stated the location of the private drive out letting onto Pleasant Point is in a dangerous location between two sharp curves with little visibility. This is already an unsafe area, adding more traffic will increase the possibility of an accident. Mr. Lipasek stated the existing "road" runs through from Hilltop Drive to Pleasant Point. It will be safer to have the road open to Hilltop Drive for the lot access instead of Pleasant Point. Mr. Lipasek added that the reason Mr. Reece does not want the traffic from hilltop to run through his property. Mr. Phil Rodenbeck, 1195 Pleasant Point, asked why the subdivision does not show topography of the lots or elevations? He noted that his house sits at the lowest point along Pleasant Point heading to the east and currently receives more water than the drains can handle. He questioned where the water will be directed and if storm drains will be installed to reduce flooding. He stated he is against more drainage being directed to the ditch on Pleasant Point. Mr. Lash stated the topography and elevations will be added to the secondary plat. Mr. Rodenbeck again asked which way the water will be directed? Mrs. Jane Selke, 1085 Pleasant Point, stated the drive coming from the subdivision will be a danger to vehicles on Pleasant Point. There is no visibility coming out of the drive onto Pleasant Point due to the trees and the grade of the land especially towards the east where Gene Stratton-Porter owns as they are not allowed to alter the property and remove trees. The drive is located between two sharp curves with very little visibility in either direction. Member Friskney asked whether Mr. Lash checked the site distance for the traveling speed on Pleasant Point. Mr. Lash stated he can check it. Mrs. Selke stated the lake channel along the front of the lots was just dredged out and all the runoff from the houses and road construction will just fill the channel back up. Mr. John Lipasek stated the property and drive are currently private property until it is subdivided. He added that a car was parked in the drive yesterday and he didn't see the car until he was on top of it. Mr. Sutton stated more docks back in the channel will not allow for enough room for boats to turn around. Mr. Roger Smith, 1185 Pleasant Point, stated the current drive is not visible between the two curves, he noted if the drive is paved it will not absorb as much water as the ground is currently absorbing causing more water to run down to Pleasant Point. He noted the existing culvert is plugged and Mr. Reece has made no attempts to repair the issue. Mr. Todd Stayer, 1175 Pleasant Point, stated he is located directly across from the drive, and he built his property to be able to remediate the water issues between he and his neighbor's and the water currently coming from the Reece property. He is concerned what the change in water runoff will do to his property. Mrs. Vicky Fiandt, 1120 W. Pleasant Point, lives on the other side of the channel, she agrees visibility to see the road and for those coming out of the road is an issue. She suggested they combine Lot C with Lot B, then the lake frontage and road frontage will be met for one lot. She suggested the trees be cut back along all of lot C and consider terracing Lot C for better visibility. She noted that the channel is very narrow and was concerned about turning around once more piers are installed. She noted there are protected rattlesnakes on the property they are requesting to develop. Mr. Reece stated some of the water issues are coming from Gene Stratton-Porter into the ditch it is not all coming from his property. He also noted he is willing to trim trees along Pleasant Point. Mrs. Selke stated the trees on Gene Stratton-Porter's property cannot be cut back nor can the land be terraced, so you are only fixing the visibility to the west not the east. Mr. Stayer asked where will they be accessing the sewer? Member Pranger stated they will have to extend the line from Hilltop

Drive. Roger Smith asked why they don't run the road from Hilltop Drive there are less homes along Hilltop Drive. Don Selke, 1085 Pleasant Point, stated there are issues with visibility to exit the private drive onto Pleasant Point, does the town have capacity for three more homes, will the board be setting a precedent by approving a subdivision with three variances especially the lake frontage variance of 35' from the required 100 feet. Phil Rodenbeck also questioned the capacity of the sewer to handle three more residences.

There being no further comments or questions Chair Morris called for Mr. Reece's rebuttal. Mr. Lash stated the access proposed from Hilltop Drive is not a part of this subdivision, the driveway will be stoned not asphalted less impact to the area and water issues, storm drainage, the lake is a natural drain source and drainage to the lake can be minimized to help alleviate the drainage runoff, the proposed driveway is already an existing road cut, Mr. Lash stated he can calculate the site distance for the drive. Mr. Lash then requested to table the Subdivision and Variance to look into the site distance issue brought up by the interested parties. Member Tatman made a motion to table Variance #2022-14. Second by Member Friskney. All in favor-aye. Motion Carried. Member Tatman made a motion to table Subdivision #2022-13. Second by Member Klein. All in favor-aye. Motion Carried. Secretary Pranger informed the audience Subdivision #320-22-13 and Variance #2022-14 have been tabled to the October 20, 2022 6:30 p.m. meeting here in the Town Hall. This is your notice; no notices will be mailed. There being no further business for the Plan Commission Member Tatman made a motion to adjourn the meeting at 7:54 p.m. Second by Member Klein. All in favor-aye. Motion Carried.

**MISCELLANEOUS BUSINESS**

Nothing for the agenda.

Next Meeting: October 20, 2022, at 6:30 p.m.

There being no further business Member Tatman made a motion to adjourn the BZA meeting at 9:05 p.m. Second by Member Friskney. All in favor-aye. Motion Carried.

  
\_\_\_\_\_  
Kelly Morris, Plan Commission President

Attest:   
\_\_\_\_\_  
Leigh A. Pranger, Secretary

**ROME CITY PLAN COMMISSION**  
**Regular Meeting**  
**March 10, 2022**

The Rome City Plan Commission held their regular meeting on Thursday, March 10, 2022, at 6:30 p.m. in the Rome City Town Hall. The meeting was called to order by Plan Commission Chair Kelly Morris at 6:30 p.m.

Members Present:

|                            |              |
|----------------------------|--------------|
| Leigh A. Pranger-Secretary | Kelly Morris |
| Barb Tatman                | Kirk Klein   |
| Joe Bertels-by Zoom        |              |

Members Absent:

|              |              |
|--------------|--------------|
| Brent Leiter | Stephen Cole |
|--------------|--------------|

Rollcall determined a quorum was present.

Interested parties in attendance: Dustin Glick-Town Attorney, Job and Jacqueline Ward, Craig Streich

Member Tatman made a motion to waive the reading of the minutes and approve them as presented. Second by Member Klein. All in favor-aye. Motion Carried. The minutes were posted on the bulletin board for everyone to read.

**OLD BUSINESS**

Solar Ordinance. Secretary Pranger informed the board she and Attorney Eberhard are working to see if Noble County will do the town's jurisdictional area as they have the expertise to implement the Solar Ordinance also our two-mile area would be handled the same as the county. We would just make changes to our zoning code for the annexed area. Ms. Pranger will keep the board posted as we move through the process.

**NEW BUSINESS**

**Vacation #2022-04-Public Way**

Job A and Jacqueline A Ward, 12302 Cobble Field Ct., Fishers, IN 46037 are requesting to vacate an unimproved platted street at 179 Sylvan Avenue, Rome City, IN 46784. The area to be vacated lies between Lot 1 and Lot 9 in Keystone Plat within the Corporate limits of the Town of Rome City. The vacated land is approximately .02 acres. This unimproved platted street will become a new parcel to be added to Job and Jacqueline Ward's property for taxing purposes. The full legal description of the parcel is as follows: Beginning at a 1/2 -inch rebar monumenting the Southeast corner of Lot Numbered 1 in Keystone Plat: thence North 01 degrees 01 minutes 44 seconds East (All shown bearings are based on WGS84 Latitude & Longitude by GPS observation), on the East line of said Lot, a distance of 52.77 feet to a 1/2-inch pipe monumenting the Northeast corner of said Lot; thence North 89 degrees 23 minutes 49 seconds East a distance of 20.00 feet to 5/8-inch rebar monumenting the Northwest corner of Lot Number 9; thence South 01 degrees 01 minutes 44 seconds West, on the West line of said Lot, a distance of 52.68

402 Kelly Street

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Rome City, IN 46784

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feet to a 5/8-inch rebar with an orange identification cap stamped "ANDERSON FIRM #29A" monumenting the Southwest corner of said Lot; thence South 89 degrees 42 minutes 08 seconds West a distance of 20.00 feet to the Point of Beginning, containing 0.02 acres of land, more or less, subject to all legal right-of-way and easements of record.

The petition, the proposed subdivision and plans are on file and may be examined at the Rome City Town Hall. All interested parties should attend to voice their opinion, or they may file written comments with the Town Hall prior to or at the meeting. The final decision will be made by the Rome City Town Council on Monday, March 14, 2022, at 6:30 p.m. in the Rome City Town Hall.

Chair Morris called for the Ward's to present their Vacation petition to the board. Mr. Ward informed the board they purchased the old Buckmaster property last fall and have been working to improve the property ever since. They want this to be their summer home. Upon having a survey completed they found a 20' platted roadway in the middle of their lot. They would like to vacate the rectangle section which sets between Lots 1 & 9. They need to do some work to the topography of the area to divert water from the house and the garage and install landscaping to help the slope of the land. Mr. Ward stated the property is basically a hill and they are at the bottom. The unimproved roadway sets right between the house and garage which stops and plans of future additions to the structures. He noted the vacation of this portion of the unimproved road will not affect the neighbors as the portions attached to their properties remains open. He further stated if the neighbors want to vacate the rest of the unimproved road, he stated he would gladly work with them. He added their future plans are to remove the concrete in front of the house to have a yard to lake.

Chair Morris called for interested parties on behalf of Vacation #2022-04. Mr. Craig Streich adjoining owner on the northwest side of the property, stated he is in favor of the vacation the Ward's have and continue to upgrade the property and they are a welcome addition to the neighborhood. Secretary Pranger informed the board all the adjoining property owners were notified by certified mail and all the green cards have been returned and no comments were noted.

Secretary Pranger informed the board they are making a recommendation to the Town Council for the final approval on Monday, March 14, 2022. Chair Morris called for a motion. Member Tatman made a motion to favorably recommend the vacation as it is located at the end of the road and will not interfere with the neighbor's usage of the unimproved road. Second by Member Klein. All in favor-aye. Motion Carried.


### MISCELLANEOUS BUSINESS

Nothing for the agenda.

Next Meeting: April 21, 2022, at 6:30 p.m.

There being no further business Member Tatman made a motion to adjourn the meeting at 6:50 p.m. Second by Member Klein. All in favor-aye. Motion Carried.

  
Kelly Morris, Plan Commission President

Attest:   
Leigh A. Pranger, Secretary

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**ROME CITY PLAN COMMISSION**  
**Regular Meeting**  
**January 20, 2022**

The Rome City Plan Commission held their regular meeting on Thursday, January 20, 2022, at 6:30 p.m. in the Rome City Town Hall. The meeting was called to order by Plan Commission Chair Kelly Morris at 6:30 p.m.

Members Present:

|                            |                     |
|----------------------------|---------------------|
| Leigh A. Pranger-Secretary | Kelly Morris        |
| Barb Tatman                | Brent Leiter        |
| Stephen Cole               | Joe Bertels-by Zoom |

Members Absent:

Kirk Klein

Rollcall determined a quorum was present.

Interested parties in attendance: Bill Eberhard-Town Attorney-by Zoom

Member Tatman made a motion to waive the reading of the minutes and approve them as presented. Second by Member Leiter. All in favor-aye. Motion Carried. The minutes were posted on the bulletin board for everyone to read.

**NEW BUSINESS**

Election of Officers: Member Taman made a motion to retain the same slate of officers for 2022; Kelly Morris-President, Kirk Klein-Vice President, Leigh Pranger-Secretary. Second by Member Bertels. All in favor-aye. Motion Carried.

**OLD BUSINESS**

Discussion on Noble County's proposed Solar Ordinance. Secretary Pranger passed out copies of the Solar Ordinance with necessary changes we would need to make. In the discussion it was suggested to contact Noble County Plan director to see if they would be willing to regulate our two-mile jurisdiction as we do not have the expertise to do it properly. Attorney Eberhard suggested we add restrictions on solar in our Lake Residential and Single-Family zones to eliminate ground mounted solar panels and allow roof mounted; board to determine which roof line they will be allowed.

**MISCELLANEOUS BUSINESS**

Secretary Pranger informed the board she is continuing to work on the code books. Secretary Pranger asked the board if she could check with a former Plan Director in Auburn to see if he would be willing to do the updates to our code book. The board had some discussion about a full review of the ordinance as it has been eleven years since we have updated the comprehensive plan and the zoning code.

*Rome City Plan Commission*


*January 20, 2022*

*Page 2 of 2*

Secretary Pranger and Member Tatman stated they will not be able to attend the March 17 meeting and requested the meeting be moved to March 10<sup>th</sup>. Member Tatman made a motion to move the March 17<sup>th</sup> meeting to March 10. Second by Member Pranger. All in favor-aye. Motion Carried.

Next Meeting: February 17, 2022, at 6:30 p.m.

There being no further business Member Tatman made a motion to adjourn the meeting at 8:00 p.m. Second by Member Cole. All in favor-aye. Motion Carried.

  
\_\_\_\_\_  
Kelly Morris, Plan Commission President

Attest:   
\_\_\_\_\_  
Leigh A. Pranger, Secretary