

ROME CITY PLAN COMMISSION
Regular Meeting
March 20, 2023

The Rome City Plan Commission held their regular meeting on March 20, 2023, 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
Joe Bertels
Barb Tatman

Stephen Cole
Kirk Klein
Brent Leiter-by Zoom

Rollcall determined a quorum was present.

Interested Parties in attendance: Town Attorney Dustin Glick, Joe Herendeen-Surveyor for Olvera/Leitch/Broom, Craig Sherbondy, Dallas James, Carol Leitch, Florence VanKeere, Geraldine Olvera, Kelly Broom, Donna Olvera, Ron Bidwell, Jr., Gerald Olvera. 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

Addresses: Cell tower on DeMuyt property- 1101 Shady Lane, Rome City, IN 46784
Tom Miller-292 Twin Island Road, Rome City, IN 46784

Secretary Pranger informed the board the addresses have been approved by the Noble County GIS and she is asking for the Plan Commission to recommend the addresses for approval by the Town Council at the April 10th meeting. Member Taman made a motion to recommend approval of the above-listed addresses to the Town Council. Second by Member Leiter. All in favor-aye. Motion carried.

NEW BUSINESS

Vacation #2023-05PC

Craig Sherbondy, 1175 Hilltop Drive, Rome City, IN is requesting to vacate Lot 3 (.206 Ac) in Sherbondy Point, Sherbondy Point part commons area EX 0.041 Ac 0.154 Ac; FRL PT E Side SE 1/4 SW 1/4 Sec 15 0.149 AC; within the annexed territory of the Town of Rome City, the property is located on the Northside of Hilltop Drive. The below-described area will be replatted into one lot in the "Replat of Lot 3 of Sherbondy Point". Lot #3 in Sherbondy's Point, a subdivision as same is described in Instrument # 9606431 in the Office of the Recorder of Noble County, Indiana; ALSO the common area/easement of Sherbondy's Point a subdivision as same is described in Instrument # 9606431 in the Office of the Recorder of Noble County, Indiana described as follows, to wit: A part of the Southeast Quarter of the Southwest Quarter and a part of the Southwest Quarter of the Southeast Quarter of Section 15, Township 35 North, Range 10 East, Noble County, Indiana, more particularly described as follows, to wit: Commencing at a "Harrison" marker found monumenting the South Quarter corner of said Section 15 (as referenced by the Noble County Surveyor's Office);

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Rome City, IN 46784

thence North 00 degrees 00 minutes 00 seconds East (assumed bearing and is utilized as the basis for all bearings relative this description) along the North-South Quarter Section line of said Section 15 (as reference by the Noble County's Surveyor's Office), a distance of 796.40 feet (recorded 797.0) feet to the point of beginning for the parcel herein described, said point being on the south line, as established by monuments found, of said Sherbondy parcel (Document #95-01335); thence South 89 degrees 31 minutes 47 seconds West, along said South line, a distance of 83.43 feet to a rebar set; then North 00 degrees 00 minutes 00 seconds West a distance of 176.44 feet to a point on the waters edge of Sylvan Lake (as established this survey day), said point being referenced by a rebar set 5.0 feet South; thence South 84 degrees 13 minutes 29 seconds East, along said waters edge, a distance of 21.02 feet to a point, said point being referenced by a rebar set 5.0 feet South; thence South 00 degrees 00 minutes 00 seconds East a distance of 125.57 feet to a rebar set; thence North 90 degrees 00 minutes 00 seconds East a distance of 71.29 feet to a rebar set; thence 44 degrees 52 minutes 44 seconds East a distance of 18.93 feet to a rebar set on said waters edge; thence South 45 degrees 07 minutes 16 seconds East, along said waters edge, a distance of 17.0 feet to a rebar set; thence South 53 degrees 22 minutes 09 seconds East, along said waters edge, a distance of 11.28 feet to a rebar found monumenting the Northwest corner of a MacDonald parcel (Deed Record 165, Page 255), as recorded in the Office of the Recorder of Noble County, Indiana; thence diverging from said waters edge, South 02 degrees, 52 minutes 56 seconds East along the West line of said MacDonald parcel, a distance of 42.44 feet to a rebar set on the South line of said Sherbondy parcel (Document #95-01335); thence South 89 degrees 31 minutes 47 seconds West along said South line, a distance of 45.36 feet (recorded 49.5 feet) to the true point of beginning, containing 0.206 acres of land, more or less, subject to legal rights-of-way, subject to all legal drain tiles and/or tiles, and subject to all other easements of record located thereon.

Simple Subdivision #2023-01PC:

Craig Sherbondy, 1175 Hilltop Drive, Rome City, IN 46784, is requesting primary and secondary approval of a 1- lot replat of Lot 3 in Sherbondy Point, the replat will allow Lot 3 in Sherbondy Point and .149 acres previously owned by R&R Stienecker to be combined into one lot, more fully described as a subdivision located: Lot #3 in Sherbondy's Point, a subdivision as same is described in Instrument # 9606431 in the Office of the Recorder of Noble County, Indiana; ALSO the common area/easement of Sherbondy's Point a subdivision as same is described in Instrument # 9606431 in the Office of the Recorder of Noble County, Indiana described as follows, to wit: A part of the Southeast Quarter of the Southwest Quarter and a part of the Southwest Quarter of the Southeast Quarter of Section 15, Township 35 North, Range 10 East, Noble County, Indiana, more particularly described as follows, to wit: Commencing at a "Harrison" marker found monumenting the South Quarter corner of said Section 15 (as referenced by the Noble County Surveyor's Office); thence North 00 degrees 00 minutes 00 seconds East (assumed bearing and is utilized as the basis for all bearings relative this description) along the North-South Quarter Section line of said Section 15 (as reference by the Noble County's Surveyor's Office), a distance of 796.40 feet (recorded 797.0) feet to the point of beginning for the parcel herein described, said point being on the south line, as established by monuments found, of said Sherbondy parcel (Document #95-01335); thence South 89 degrees 31 minutes 47 seconds West, along said South line, a distance of 83.43 feet to a rebar set; then North 00 degrees 00 minutes 00 seconds West a distance of 176.44 feet to a point on the waters edge of Sylvan Lake (as established this survey day), said point being referenced by a rebar set 5.0 feet South; thence South 84 degrees 13 minutes 29 seconds East, along said waters edge, a distance of 21.02 feet to a point, said point being referenced by a rebar set 5.0 feet South; thence South 00 degrees 00 minutes 00 seconds East a distance of 125.57 feet to a rebar set; thence North 90 degrees 00 minutes 00 seconds East a distance of 71.29 feet to a rebar set; thence 44 degrees 52 minutes 44 seconds East a distance of 18.93 feet to a rebar set on said waters edge; thence South 45 degrees 07 minutes 16 seconds East, along said waters edge, a distance of 17.0 feet to a rebar set; thence South 53 degrees 22 minutes 09 seconds East, along said waters edge, a distance of 11.28 feet to a rebar found monumenting the Northwest corner of a MacDonald parcel (Deed Record 165, Page 255), as recorded in the Office of the Recorder of Noble County, Indiana; thence diverging from said waters edge, South 02 degrees, 52 minutes 56 seconds East along the West line of said MacDonald parcel, a distance of 42.44 feet to a rebar set on the South line of said Sherbondy parcel (Document #95-01335); thence South 89 degrees 31 minutes 47 seconds West along said South line, a distance of 45.36 feet (recorded 49.5 feet) to the true point of beginning, containing 0.206 acres of land, more or less, subject to legal right-of-ways, subject to all legal drain tiles and/or tiles, and subject to all other easements of record located thereon. ALSO A part of the lands of Craig A and Rebecca L. Sherbondy as

described in Document #9607039 and part of Roger S. and Rhonda D. Stienecker and Craig A. and Rebecca L. Sherbondy as shown in Anderson Surveying Survey #17-08-109-1, being situated in the Southeast and Southwest Quarter of Section 15, Township 35 North, Range 10 East, Second Principal Meridian, Noble County, Indiana, this new description was prepared by Michael C. Vodde, Indiana Professional Surveyor # 20100011, as part of Anderson Surveying, Inc. Survey #17-08-109-3, dated April 16, 2020, more particularly described as follows: Commencing at a Harrison Marker monumenting the Southwest corner Southeast Quarter of Section 15, Township 35 North, Range 10 East; thence North 00 degrees 00 minutes 00 seconds West (recorded bearing and basis of bearing for all bearings in the description) a distance of 702.26 feet to a south line in Deed Record 225, page 34 as described in Document #171200293; thence North 89 degrees 57 minutes, 37 seconds East, on said South line, a distance of 50.10 feet to a mag nail with an identification washer stamped "ANDERSON FIRM #29A"; thence North 02 degrees 51 minutes 54 seconds West, on the East line of Deed Record 225, page 34 described in Document #171200293, a distance of 85.78 feet to a 5/8-inch rebar with an orange identification cap stamped "ANDERSON FIRM #29A", said rebar being the POINT OF BEGINNING; thence continuing North 02 degrees 52 minutes 56 seconds West a distance of 51.41 feet to a 5/8-inch rebar; thence North 53 degrees 22 minutes 09 seconds West, on a Northeast line described in Document #9607039 a distance of 11.28 feet to a 5/8-inch rebar with an orange identification cap stamped "ANDERSON FIRM #29A"; thence North 45 degrees 07 minutes 16 Seconds West, on a Northeast line described in said Document, a distance of 15.15 feet to a 5/8-inch rebar with an orange identification cap stamped "ANDERSON FIRM #29A"; thence South 21 degrees 53 minutes 29 seconds West a distance of 64.86 feet to a 5/8-inch rebar with an orange identification cap stamped "ANDERSON FIRM #29A" on the south line described in Document #9607039; thence South 89 degrees 31 minutes 47 seconds West, on said South line a distance of 40.65 feet to 5/8-inch rebar with an orange identification cap stamped "ANDERSON FIRM #29A"; thence South 03 degrees 23 minutes 07 seconds East a distance of 12.55 feet to a 5/8- inch rebar with an orange identification cap stamped "ANDERSON FIRM #29A" on the North line of Deed Record 225, page 34 as described in Document #171200293; thence North 87 degrees 10 minutes 00 seconds East, on said North line, a distance of 86.57 feet to the Point of Beginning, containing 0.062 acres of land more or less, subject to all legal easements and rights-of-way. Chair Morris called for Mr. Sherbondy to present his petitions to the board. Mr. Sherbondy stated he will be presenting the Vacation and Subdivision petitions together. Mr. Sherbondy informed the board that he swapped property with his neighbor the Steinecker's and he is requesting to vacate the original Lot 3 in Sherbondy Point along with a deeded common area and the land he received from the Steinecker's. He then stated all of the vacated land will then be contained within the new one lot subdivision known as the replat of Lot 3 in Sherbondy Point. This process puts all the land into one tax ID # and allows the homestead credit to be assessed across all of the property he owns. The board reviewed the maps showing the lots/land to be vacated and the new one lot subdivision. Chair Morris called for interested parties on the Vacation #2023-05 and Subdivision #2023-01. Secretary Pranger said all the interested parties were notified by certified mail and returned with no comments. No interested parties were in attendance. There being no further questions Member Tatman made a motion to approve Vacation #2023-05 as presented. Second by Member Cole. All in favor-aye. Motion Carried. Member Pranger made a motion to approve Subdivision #2023-01. Second by Member Tatman. All in favor-aye. Motion Carried.

Simple Subdivision #2023-02PC:

Olvera Estates: Olvera Jeraldine K 1/3 int, Van Keere Florence E 1/3 int, Broom Kelly A, 1148 E Northport Rd., Rome City, IN 46784 owners of a 4.516 Acre parcel on the southside of East Northport Road, approximately 750 feet west of 150 N in Rome City Indiana. They are requesting primary and secondary approval of a one lot minor subdivision, 4.516 acres hereby by known as "Olvera Estates", more fully described as a subdivision located: Part of the Northwest Quarter of Section 8, Township 35 North, Range 10 East, Noble County, Indiana, based on an original survey by

Joseph R. Herendeen, Indiana Professional Surveyor Number 20900190 of Sauer Land Surveying, Inc., Survey No. 144-115 "A", dated February 13, 2023, and being more particularly described as follows, to-wit: Commencing at the Center of Section 8, being marked by a cast iron monument; thence North 00 degrees 59 minutes 18 seconds West (GPS grid bearing and basis of all bearings in this description), on and along the East line of said Northwest Quarter, a distance of 1374.34 feet to the point of intersection of said East line with the centerline of East Northport Road; thence North 79 degrees 01 minutes 47 seconds West, on and along said centerline, a distance of 1414.05 feet to a railroad spike at the Northwest corner of a 12.69 acre tract of real estate described in a deed to Paul H. Nesbitt and Lisa V. Nesbitt in Document Number 9607599 in the Office of the Recorder of Noble County, Indiana; thence North 79 degrees 20 minutes 53 seconds West, continuing on and along said centerline, a distance of 165.26 feet to a railroad spike at the Northeast corner of a 1.03 acre base tract of real estate described in a deed to Eldon Leitch and Carol Leitch in Document Number 000600530 in the Office of the said Recorder, this being the true point of beginning; thence North 79 degrees 05 minutes 49 seconds West, continuing on and along said centerline, a distance of 158.00 feet to a railroad spike at the Northwest corner of said 1.03 acre base tract; thence South 10 degrees 56 minutes 35 seconds West, on and along the West line of said 1.03 acre base tract, a distance of 283.43 feet to a #5 rebar at the Southwest corner thereof, also being the Northwest corner of a 1.87 acre base tract of real estate described in a deed to Carol J. Leitch in Document Number 070100123 in the Office of the said Recorder; thence South 00 degrees 52 minutes 38 seconds East, on and along the West line of said 1.87 acre base tract, a distance of 479.31 feet to the Southwest corner thereof, being a point on the centerline of the North Branch of the Elkhart River; thence South 58 degrees 20 minutes 10 seconds East, on and along said centerline, a distance of 50.34 feet; thence South 46 degrees 20 minutes 50 seconds East, continuing on and along said centerline, a distance of 157.44 feet to the Southeast corner of said 1.87 acre base tract; thence North 00 degrees 52 minutes 38 seconds West, on and along the East line of said 1.87 acre base tract, a distance of 584.35 feet to a #5 rebar at the Northeast corner thereof, also being the Southeast corner of said 1.03 acre base tract; thence North 10 degrees 56 minutes 09 seconds East, on and along the East line of said 1.03 acre base tract, a distance of 283.62 feet to the true point of beginning, containing 2.898 acres of land, subject to legal right-of-way for East Northport Road, and subject to all easements of record.

Administrative Subdivision#2023-04PC

Olvera Jeraldine K 1/3 int, Van Keere Florence E 1/3 int, Broom Kelly A, 1148 E Northport Rd., Rome City, IN 46784 owners of a 2.898 parcel on the southside of East Northport Road, approximately 900 feet west of 150 N in Rome City Indiana. Realignment of property lines.

Chair Morris called for Mr. Olvera to present his petitions to the board. Mr. Olvera stated his mother and aunts own the property on the south side of Northport Road. When the properties were deeded off to the siblings it was not done properly, and Carol Leitch receives tax bills for both her property and her sister's. Mr. Olvera stated he started looking into the issues when he decided he wanted to build a new home on the property and tear down his mother's existing home. He could not get a loan with the property tied together. He noted they have the one lot subdivision on the east side, which is his mother's property, Geraldine Olvera, moving to the west, the next property is his aunt, Carol Leitch and then three sisters own the one parcel, Kelly Broom, Geraldine Olvera and Florence VanKeere, The one lot subdivision to the east will be his mother's, Geraldine Olvera, the Administrative subdivision will fix the property line issues, (specifically the back lot parcel) will all belong to Carol Leitch and the remaining acreage to the west will be resurveyed and ownership remains with the three sisters. Member Cole asked which lot will the demolition and rebuild take place on? Mr. Olvera stated the lot furthest to the east. The house will be demolished and the new home will be placed further back on the lot when constructed. The board reviewed the maps of the subdivisions showing they meet the requirements in the UDO. Chair Morris called for interested parties on Subdivision #2023-02 and Admin Subdivision #2023-04. Secretary Pranger informed the board all interested parties

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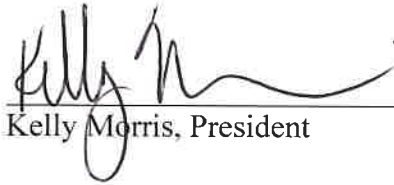
were notified by certified mail and returned with no comment. Parties in attendance Dallas James, Carol Leitch, Florence VanKeere, Geraldine Olvera, Kelly Broom, Donna Olvera, were either the petitioners or related to the petitioners and they expressed their approval of the petitions. There being no further questions or comments. Chair Morris called for a motion. Member Tatman made a motion to approve Subdivision #2023-02 and Administrative Subdivision #2023-04 as presented. Second by Member Pranger. All in favor-aye. Motion Carried.

MISCELLANEOUS BUSINESS

Nothing for the agenda

Next Meeting: Secretary Pranger informed the board she will be on vacation during the regularly scheduled meeting in April and asked the board to move the meeting forward one week or back one week. The board decided April 27, 2023, will work. Member Klein made a motion to move the meeting to April 27, 2023, at 6:30 p.m. Second by Member Bertels. All in favor-aye. Motion Carried.

There being no further business, Member Tatman made a motion to adjourn the Plan Commission meeting at 7:13 p.m. Second by Member Cole. All in favor-aye. Motion Carried.



Kelly Morris, President

Attest:



Leigh A. Pranger, Secretary