

## ROME CITY PLAN COMMISSION

### Regular Meeting

July 18, 2024

The Rome City Plan Commission held their regular meeting on July 18, 2024, 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

Barb Tatman

Kelly Morris

Kirk Klein

Stephen Cole

Joe Bertels

Brent Leiter-by phone

Rollcall determined a quorum was present.

Interested Parties in attendance: Town Attorney Dustin Glick, Larry Young, Josh Lash-Surveyor, Tom Dietrich.

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

Nothing for the agenda.

### NEW BUSINESS

#### Simple Subdivision #2024-17.

Lawrence "Young, 3840 Ashford Blvd, New Haven, IN, is requesting primary and secondary approval of a 1 lot Replat of Lot 1 in "The Promised Land Estates". Described as follows:

Part of Lot 1 in The Promised Land Estates, according to the plat thereof, recorded in Document 201200208 in the Office of the Recorder of Noble County, Indiana, more particularly described as follows: BEGINNING at the southwest corner of said Lot 1 in The Promised Land Estates; thence South 89 degrees 32 minutes 28 seconds East (bearing based on the State Plane Coordinate System (NAD83)(2011), Indiana East zone) on the south line of said Lot 1, a distance of 141.00 feet; thence North 00 degrees 27 minutes 32 seconds East 270.00 feet; thence North 21 degrees 40 minutes 47 seconds West 217.73 feet to the north line of said Lot 1; thence South 70 degrees 31 minutes 50 seconds West on said north line, a distance of 172.30 feet to the northwest corner of said Lot 1; thence South 30 degrees 33 minutes 00 seconds East on the west line of said Lot 1, a distance of 200.00 feet; thence South 00 degrees 27 minutes 32 seconds West, continuing on said west line, a distance of 241.53 feet to the point of beginning, containing 68,357.8 square feet, or 1.569 acres, more or less. To be Lot 1B

#### Vacation #2024-22

Lawrence Young, 3840 Ashford Blvd, New Haven, IN 46774 is requesting to vacate Lot 1 in The Promised Land Estates, Sylvan Lake within the Corporate limits of the Town of Rome City, located at 4393 E 850 N, Rome City, IN 46784. The vacated land is approximately .8.276 acres. This lot will be replatted into Lots 1A and 1B in the Replat of Lot 1 The Promised Land Estates, Rome City, Sylvan Lake. The owner of 4393 E 850 N would like to sell off of Lot 1B in the new

subdivision. 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. Chair Morris called for Mr. Young to present his petitions for both the Simple Subdivision and the Vacation of Lot 1 in The Promised Land Estates. Mr. Young presented a replat of Lot 1 in "The Promised Land Estates subdivision". He noted that Lot 1 is 6.8 acres, and he would like to sell off 1.472 acres to his nephew to build a home. He noted there will be no changes to Lots 2 or 3. He informed the board that the original plat shows one driveway cut on 850 N for lots 1 and 3 to limit road cuts onto the county road. Mr. Young stated he contacted the Noble County Highway Department, and they stated they are ok with allowing additional road cuts for driving access. Mr. Young stated after having lived on 850 N for a year, the road is not as highly traveled as he originally perceived, and it would be safer for deliveries to access through individual road cuts rather than the shared access. Member Tatman asked about Lot 3, stating she noticed that lot is for sale and wondered why his nephew didn't just purchase that lot. Mr. Young stated his nephew does not want that much yard to take care of. Mr. Young noted Lot 2 and 3 are owned by the Copp's (Rome City Properties) and they have decided not to build on the lots and put Lot 3 up for sale. Member Pranger asked about the access to the sewer for the new lot 1B. Mr. Young stated they will be using a chopper pump contained inside the house. Member Pranger asked why The Promised Land Estates plat shows easements for lift/grinder stations if the easement is not going to be used? Mr. Young stated he can remove the easements from the plat. Member Leiter stated I thought the access to Lots 1 and 2 would be through the road access shown on the plat, out letting onto Eastgate. The board wanted to keep the accesses to one onto the county road 850 N. Member Pranger stated MR. Young's driveway is located where access is on the plat he will just have to share it with Lot 3 and the new lot 1B if approved. Mr. Young stated it would be better if the Lots had their own accesses off the county road.

Chair Morris called for interested parties on Petition#2024-17 and #2024-22. Secretary Pranger informed the board that all adjoining owners were notified, and no one returned any comments. There was no one present in the audience on Subdivision #2024-17 or Vacation #2024-22. Member Pranger informed Mr. Young that what he is proposing are changes to the original plat and he would have to file for variances to make those changes. If he wants to move forward with the changes, he needs to file for variances to request it. After some discussion, Mr. Young made a request to table. Member Tatman made a motion to table until the September or October meetings, the Simple Subdivision #2024-17 and Vacation #2024-22, to allow Mr. Young to apply for the necessary variances. Second by Member Klein. All in favor-aye. Motion Carried.

**Simple Subdivision #2024-19.**

Jon A. and Don Schuster t/i/c, 1450 North Shore Drive, Rome City, IN 46784 approximately .3 Ac on the south side of North Shore Drive and approximately .295 Ac on the north side of North Shore Drive they are requesting primary and secondary approval of a 4-lot major subdivision hereby known as "Schuster Addition to Sylvan Lake". Described as a subdivision located:

A tract of land located in the Northeast Quarter of Section 15, Township 35 North, Range 10 East, Noble County, the State of Indiana, more fully described as follows:

Beginning at the Northeast corner of the Lot 31 in O'Conner Beach Addition per Noble County

402 Kelly Street  
P.O. Box 338  
(260) 854-2412  
[www.townofromecity.org](http://www.townofromecity.org)

Rome City, IN 46784

Plat Book 2, Pages 81-83 marked by a rebar found; thence S 87°11'54"E (State Plane NAD83, Zone Indiana East), along the South line of said platted drive, for 152.12 feet to a rebar set at the Northwest corner of a tract of land conveyed to Rayna J. Mickelini per Noble County Document Number 220800495; thence S 00°16'54"W, along the West line of said Mickelini tract, for 66.92 feet to the shoreline of Sylvan Lake; thence following said shoreline for the following three bearings and lengths: N 71°00'29"W, for 57.52 feet; N 85°39'17"W, for 48.82 feet; thence S 78°18'43"W, for 49.71 feet to the East line of said Lot 31; thence N 00°07'17"E, along the East line of said Lot 31, for 62.01 feet to the point of beginning, of said tract of land containing 0.19 Acres, more or less, and subject to all public road rights-of-way and all easements of record.

Also,

A tract of land located in the Northeast Quarter of Section 15, Township 35 North, Range 10 East, in Noble County, the State of Indiana, more fully described as follows:

Commencing at the Southwest corner of Lot 17 in Brady's Addition per Noble County Plat Book 2, Page 185 marked by an iron pin found; thence S 00°25'40"W (State Plane NAD83, Zone Indiana East), Along the extended West line of said Lot 17, for 10.00 feet to a rebar found on the North right-of-way of a 30 foot public roadway; Thence S 88°26'31"W, for 660.13 feet to a rebar set; thence N 87°11'54"W, Along said North right-of-way, for 20.00 feet to a rebar found at the Southwest corner of a tract of land conveyed to Rayna J. Mickelini per Noble County Document Number 220800495 and being the Point of Beginning of this description; thence N 87°27'46"W, along said North right-of-way, for 159.99 feet to a rebar found at the Southeast corner Lot 2 in North Shore Beach per Noble County Document Number 180400491; thence N 00°15'06"E, along the East line of Said Lot 2, for 80.53 feet to an iron stake found on the South line of a tract of land conveyed to Regina Rivas per Noble County Document Number 121200177; thence S 87°51'34"E, along the South line of said Rivas Tract, for 160.40 feet to a rebar set at the Northwest corner of said Mickelini Tract; Thence S 00°33'49"West, along the West line of said Mickelini tract, for 81.62 feet to the point of Beginning, said tract of land containing 0.30 acres, more or less, and being subject to all public roads rights-of-way and all easements of record.

Chair Morris called for Surveyor Josh Lash to present his petitions to the board. Mr. Lash presented the board with copies of the two Simple Subdivisions for the Don and Jon Schuster properties. Schuster's own property along Sylvan Lake on North Shore and have back lots. The back lots are owned by Jon and Don Schuster. They currently have a garage and several sheds on the property. They would like to divide the property into two parcels so the lake lots will each have a garage and somewhere to park cars. The lake lot, owned by Mr. Jon Schuster, has two primary homes on one lot and needs to be divided so the property can be sold and meets the town UDO requirements. Mr. Lash informed the board the property has been in probate since Mr. Jon Schuster passed away and the court ruled the properties must be divided properly and put up for sale. Mr. Lash noted to the board that all four lots will not be able to meet the setbacks or lot size requirements for the current buildings on the lots. The lots are undersized, but the setback issues predate the town's ordinances. He stated he will be asking for variances on the lots at the BZA meeting. Member Pranger informed the board if they approve the subdivisions, they will have to add a restriction to the motion stating the BZA must give approval for the variances. Mr. Lash informed the board that he surveyed the lots and decided to evenly split the

lots to allow for the most square footage possible. He noted the sheds on the back lots are set on pallets and can be moved to meet the required setbacks. Member Pranger informed the board the garage behind Mr. Jon Schuster's house was allowed by variance as he had a fire and wanted to utilize the concrete pad. The BZA granted the variance. Member Pranger informed the board the homes were built in the 1970's and 1980's prior to the UDO requirements. Member Pranger informed Mr. Lash she would like to see the AE floodplain line shown on the plat for future homeowners to be aware that part of the homes are located in the floodplain, also the lakefront lots need to be tied to the back lots so they are not sold separately, the existing trees on the lot need to be protected and shown to not be removed, and lastly show the current lot coverages so new owners know prior to purchase they are/or almost at the maximum lot coverage. Concrete drives, patios, sidewalks etc. could not be added without using porous concrete or applying for a variance. Chair Morris asked if the property is in the process of being sold. Mr. Lash stated the green house has an offer and they plan to remodel the existing house.

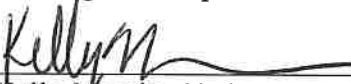
There being no further questions by the board Chair Morris called for interested parties on Subdivision #2024-19. Secretary Pranger informed the board all adjoining owners were notified and returned with no comments. Mr. Tom Dietrich was present. He just wanted to make sure he understood what they were asking for and why. He stated he is good with the proposal. There being no further discussion Chair Morris called for motion. Member Tatman made a motion to approve with the approval of the variances by BZA and with the following additions to the plat, depict the floodplain line, show the lot coverage amounts, depict the trees to remain on the property, tie lot 1 and 1A together and lot 2 and lot 2a together so they cannot be sold separately and the sheds on the back lots need to be relocated inside the current setback lines. Second by Member Leiter. All in favor-aye. Motion Carried

#### **MISCELLANEOUS BUSINESS**

Nothing on the agenda.

Next Meeting: No August 15, 2024 meeting -Nothing for the agenda.

There being no further business, Member Klein made a motion to adjourn the Plan Commission meeting at 7:03 p.m. Second by Member Bertels. All in favor-aye. Motion Carried.

  
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Kelly Morris, Chairman

Attest:

  
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Leigh A. Pranger, Secretary