

ROME CITY BOARD OF ZONING APPEALS
Regular Meeting
January 20, 2022

The Rome City Board of Zoning Appeals held their regular meeting on Thursday, January 20, 2022 at 7:00 p.m. in the Rome City Town Hall. The meeting was called to order by Chair Judy Fox at 7:03 p.m.

Members Present:

Leigh A. Pranger-Secretary	Barb Tatman
Christine Coe	Judy Fox
Mike Friskney -by Zoom	Kelly Morris

Rollcall determined a quorum was present.

Interested Parties in attendance: Town Attorney Bill Eberhard and Molly Morris-by Zoom, James Collett and Cheryl Behrens and Steve Snyder.

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

OLD BUSINESS

1. Election of Officers- Member Tatman made a motion to retain the same slate of officers for 2022-Judy Fox-Chair, Kelly Morris-Vice-Chair and Leigh Pranger -Secretary. Motion seconded by Member Coe. All in favor-aye. Motion Carried.

2. Jacobs RV on Lions Drive-The court hearing is Friday, January 21, 2022. Attorney Eberhard will be asking for a Writ of Assistance from the court-for the right to access the property to remove the RV and also to have legal ability to scrap the RV in absence of a Title. Member Friskney suggested the town contact Austin Miller at Tire Star, he will pick up junk vehicles and scrap them.

NEW BUSINESS

Variance #2022-01

James Collett & Cheryl Ann Behrens, 7021 W 200 N Larwill, IN owners of f550 Spring Beach Rd Rome City, IN 46784 are requesting variances for a garage lot located behind 501 Spring Beach Rd. Variances to be from the Rome City Unified Development Code, Single Family Residential District, Article 2.10 Single Family Residential District side yard setback for an accessory structure requirement of 10' down to 6'6" on the north side to keep the same line as the existing garage; and an accessory structure height restriction of 16' up to 20'. Also 5.06 AS-04 Accessory Structure Standards Section C. Quantity and Size 2. Maximum Size of 1200 sq. ft up to a total of 2120 sq. ft. For the additional of a 40'x32' building attached to the existing 30'x28'building.

Chair Fox called for Mr. Collett and Mrs. Behrens to present their case to the board. Mr. Collett addressed the board with a packet of information and then directed their attention to the screen to review the packet. Mr. Collett and Mrs. Behrens purchased the lake home and the garage lot in 2019, they had a survey performed on the garage lot in November 2021 to determine their setbacks from the street and the side yards. They found they would need a variance on the north side yard in order to continue the same setback line as the existing building. Mr. Collett stated they will be moving to the lake full time and need additional storage for boats, trailers, water toys and additional vehicles. Mr. Collett stated he also has a four-post lift he will be installing in

the new addition to the barn. The lift requires 14' sidewalls and 12' garage doors this will bring the height of the new section to twenty feet. He directed the board to the street view showing the four foot addition to be visible on the south side. The new addition will be four feet wider than the existing building and will be below the grade of the road due to the drop off. He noted the existing building has a wood shop in the bottom/basement. Mr. Collett switched to the south sideview showing the addition to have one garage door and the floor of the new addition will be 8'7" below the grade of the street. Mr. Collett then showed the rearview of the buildings, there will be two garage doors and due to the grade of the road the only portion of the new addition that will be visible from the street is the four foot which is wider than the existing building. He informed the board he will be installing gravel on the garage lot to reduce maintenance. He noted the building is surrounded by woods on the north and east sides, the south side of the addition is located behind the houses on Spring Beach. He then showed two pictures of his house which has a carport and accessible parking is restricted to three cars they can hold five parked cars although they will be parking each other in. Chair Fox asked whether the vehicles and working on the vehicles are personal or business in nature? Mr. Collett stated everything in the garage will be for personal use, he is not running a business, he stated, he works for Dana Corporation. Ms. Behrens stated the entire building will be sided to match the new addition. Member Friskney asked about the use of the building? Mr. Collett stated it will be used mostly for storage and he uses the area in the bottom of the existing building as a wood shop. Member Friskney asked if there will be water or heat. Mr. Collett stated no.

Chair Fox called for interested parties on behalf of Variance #2022-01. Secretary Pranger informed the board that three out of six adjoining owners returned with no comments. No interested parties in the audience. There being no further discussion Chair Fox called for a motion. Member Morris made a motion to to approve Variance #2022-01 per the findings of fact and the standard restrictions: No Rental, No Business, No exterior stairwell, No bathroom or living quarters. Second by Member Tatman. All in favor-aye. Motion Carried. Variance #2022-01 Approved.

Variance #2022-02

Bret Swaney, 10502 Quail Run, Fort Wayne, IN 46845 owners of 1498 North Shore Drive, Rome City, IN 46784 are requesting variances for a garage lot located behind 1490 North Shore Drive. Variances to be from the Rome City Unified Development Code, Single Family Residential District, Article 2.10 Single Family Residential District Street yard setback for an accessory structure requirement of 25' down to 24' and maximum Accessory height of 16' up to 27' and Lot coverage restriction of 35% up to 53%. Also Article 5.03 AS-01 General Accessory Structure Standards, E. Utilities; storage based accessory structures restriction of no sewer service to allow for one full bath and one half bath. And 5.06 AS-04 Accessory Structure Standards Section C. Quantity and Size 2. Maximum Size of 1200 sq. ft up to a total of 1380 sq. ft. For the construction of a 30'x46' garage with second story storage and loft area.

Secretary Pranger informed the board Mr. Swaney contacted the office and requested his petition be tabled to the February 17th meeting. Member Tatman made a motion to table Variance #2022-02 to February 17, 2022. Second by Member Morris. All in favor-aye. Motion Carried. Mr. Steve Snyder in the audience stated he was attending on the Swaney petition. The board

informed him the petition has been tabled to the February meeting and Mr. Snyder should return then.

Use Variance #2022-03 Extension of Use variance from #2017-09

Daniel and Kelly Morris, 322 Spring Beach Road, Rome City, IN 46784 are requesting a use variance for 327 Spring Beach Rd, Rome City, IN from the Rome City Unified Development Ordinance, Section 2.10; Single Family District Requirements Appendix A; Land Use Matrix Permitted Uses to allow the raising of two horses. This will allow for the keeping of the animals for a maximum of five years, a pasture area, and a 32 x 12 shed/barn. Member Kelly Morris recused herself from the petition as she is an owner. Member Morris informed the board her daughter Molly Morris will appear by Zoom to present the petition. Kelly Morris passed out a survey showing the location of the fenced area and barn. Molly stated she was 17 when they asked for the use variance, she is currently enrolled in Purdue University and graduating this spring. She stated she is hoping to find a house within the next five years to move the horses. She asked for a five-year extension to be able to graduate, settle into a job and then look for property. Member Coe asked about the manure she has seen off and on, on Spring Beach. Molly Morris stated there are two other girls who live on 300E who ride their horses around the lake roads. Ms. Morris stated, she and her friend Elizabeth Molen have asked the girls to come back and pick up their horses' poop and they answered we don't make the Amish pick up after their horses. Ms. Morris stated she and Ms. Molen always go back to pick up their horses manure out of courtesy to their neighbors. Member Tatman stated the Morris' have had the horses for five years and they have taken care of the horses and their manure as they stated they would. Chair Fox called for interested parties on behalf of Use Variance #2022-03. No one was in the audience. Secretary Pranger informed the board she notified the adjoining owners and 2 out of five returned with no comments. There being no further discussion Chair Fox called for a motion. Member Tatman made motion to approve Use Variance #2022-03, five-year extension on the two horses, per the finds of fact. Second by Member Coe. All in favor-aye. Motion Carried. Use Variance #2022-03 Approved.

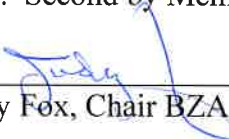
MISCELLANEOUS BUSINESS

Secretary Pranger stated she will continue to make the updates to the UDO and she informed the board the Plan Commission is working on an ordinance regarding solar power.

Secretary Pranger informed the board she has a conflict with the March 17th meeting and requested it be moved to March 10th. Member Tatman stated she will be in Germany on March 17th for a wedding. Member Tatman made a motion to move the March meeting to March 10th. Second by Member Coe. All in favor-aye. Motion Carried

Next Meeting: February 17, 2022 at 7:00 p.m.

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



Judy Fox, Chair BZA

Attest:


Leigh A. Pranger, Secretary

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