

**ROME CITY BOARD OF ZONING APPEALS
Regular Meeting
October 20, 2022**

The Rome City Board of Zoning Appeals held their regular meeting on Thursday, October 20, 2022 at 8:00 p.m. in the Rome City Town Hall. The meeting was called to order by Vice-Chair Kelly Morris.

Members Present:

| | |
|----------------------------|---------------|
| Barb Tatman | Kelly Morris |
| Leigh A. Pranger-Secretary | Mike Friskney |
| Christine Coe | |

Members Absent:

Judy Fox

Rollcall determined a quorum was present.

Interested Parties in attendance: Town Attorney Dustin Glick, Kevin Malott, Tyler Malott, Rod and Robin Hormann, John Martin.

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

OLD BUSINESS

Nothing on the agenda

NEW BUSINESS

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. Member Tatman made a motion to table Variance #2022-14 to the October 20, 2022 meeting. Second by Member Friskney. All in favor-aye. Motion Carried

Treva Finn realtor for Reece's requested the variance be tabled. Member Tatman made a motion to table Variance #2022-14 to the November 17th meeting. Second by Member Friskney. All in favor-aye. Motion Carried.

Rome City Board of Zoning Appeals

October 20, 2022

Page 2 of 3

Variance #2022-17

Tyler Malott, 3662 E Northport Road, Rome City, IN 46784 is requesting relief from Rome City Board of Zoning Appeals commitments on Variance #2021-20 restricting the addition of a covered porch on the pole building. This will allow for a covered porch to be added on the south side and part of the east side of the pole building.

Vice-Chair Morris called for Tyler Malott to present his petition to the board. Mr. Malott informed the board they would like to add a porch/overhang to the southeast corner of the garage. Member Tatman asked if they moved their business to this address. Kevin Malott stated no, they still have their business at the Allen Chapel Road location. VC Morris asked who is the owner of the property on Northport Road? Tyler Malott stated he owns the Northport Road property. VC Morris asked if the porch had been requested previously. Kevin Malott stated yes when they applied for the variance for the barn. He noted the board removed the porch from the variance. Kevin Malott informed the board all the surrounding barns have porches and doesn't understand why they were denied. VC Morris called for interested parties on Variance #2022-17. Secretary Pranger informed the board all adjoining owners were notified and two returned with comments, Sandra Donat owner directly to the west stated she is not in favor of the variance. Mr. Belhumeur stated the current code is sufficient and trusts the board to follow the code as written. No interested parties were in attendance. Member Tatman stated she is not in favor of the porch as the barn is not to be a residence. Tyler Malott stated the barns at Anderson's to the east and the Wallen's barn to the west both have porches, stated we are not asking for something that others in the area do not have. VC Morris asked if they will be enclosing the porch, putting walls up. Tyler Malott stated no, they might put up the large mesh screens for bugs. Kevin Malott told the board the porch is not drawn correctly on the drawing that was sent out. It will be much smaller at a 20' x 20' on the southeast corner, it will not run the length of the south side of the barn. Which will be less of a concern for Mrs. Donat as it will not extend to her side. Member Friskney stated he will be recusing himself from the vote as he is related to the Malott's. VC Morris called for a motion and a vote. Member Coe made a Motion to approve Variance #2022-17 as presented per the findings of fact. Second by Member Tatman. Rollcall for vote: Kelly Morris-Yes, Christine Coe-Yes, Barb Tatman-No. Attorney Glick stated it is a non-vote due to only three members voting we need three votes either for or against the variance. Since the vote is split, he asked the Malott's if they want to table to the November meeting, when we should have a full board. Tyler Malott asked the board to table the Variance #2022-17 to the November 17th meeting. Member Coe made a motion to table Variance #2022-17 until the November meeting. Second by Member Tatman. All in favor-aye. Motion Carried. Secretary Pranger stated the Variance will be moved to next month's agenda.

Variance #2022-19

Rodney A and Robin S Hormann, 17004 Platter Parkway, New Haven, IN are requesting relief for 407 Lions Drive Rome City, IN, from the Rome City Unified Development Ordinance for a variance from Article 2.12 Lake Residential District Development Standards requirement of 25' street yard setback for a principal structure down to 9' on the west side of Lot 5 in Barber's Woods. This will allow for the construction of a stick-built home.

Vice-Chair called for the Hormann's to present their petition to the board. Rob Hormann passed out a packet to the board members, pictures, survey, house plan and plot plans. Rob Hormann informed the board they purchased the house last fall and would like to tear the house down and build new. He noted he can meet all the setbacks except for the street yard setback. He showed the board pictures depicting the property line to be on an angle and setback an additional 17.5' and 19.4' from the back of the curb on Lions Drive, the garage will be set 26.11" from the back of the curb. This is more than enough space to back out of the garage and see traffic and park vehicles off the roadway. He noted the MacIntosh garage is set at the same setback he is asking for the new garage. He added that there are other garages along Lions Drive with a much closer setback. Rob Hormann stated he spoke with his neighbors and showed them the plans of the house they want to build, and the neighbors voice their approval of the plans and variance. He added the house they will be tearing down is a 1922 and will be replacing it with a new 3000 sq. ft. stick-built home with attached garage. The new house will match the other homes in the area. he showed the board a drawing showing the proposed house and his neighboring houses to show the house will not interfere with the view of either neighbor. He stated he will not need any side yard variances or lake yard variance. Vice Chair Morris called for interested parties on Variance #2022-19. No one interested parties were present. Secretary Pranger informed the board all adjoining owners were notified and three of the five returned with no comments. There being no further discussion Vice Chair called of a motion and vote. Member Tatman made a motion to approve Variance #2022-19 as presented per the findings of fact. Second by Member Friskney. All in favor-aye. Motion Carried.

MISCELLANEOUS BUSINESS

- a. Shed located in the easement on the corner of 450 E and 850 N-The shed has been moved.
- b. Letter sent to Josh Miller-Small engine repair shop on 800N-to clean up area and use the fence as a screen keep the equipment from the public eye. The board asked Secretary Pranger to send Mr. Miller a follow up letter an insert the minutes and conditions from his variance approval.

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

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


Kelly Morris, Vice-Chair BZA

Attest: 
Leigh A Pranger, Secretary