

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
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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 Fiandt, 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 there uses? Mr. Lash stated on the west side are three lot 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