

**ROME CITY BOARD OF ZONING APPEALS**  
**Regular Meeting**  
**September 19, 2019**

The Rome City Board of Zoning Appeals held their regular meeting on Thursday, September 19, 2019 at 7:02 p.m. in the Rome City Town Hall. The meeting was called to order by Chair Judy Fox.

Members Present:

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

Rollcall determined a quorum was present.

Interested Parties in attendance: Town Attorney Dustin Glick, Josh Lash-surveyor, Christopher Cook, Ken Cook and Chris Bornman.

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

**OLD BUSINESS**

Blum 2018-19 and Hayes 2019-21 Variances on Lions Drive-Deck/Dock.

Member Tatman made a motion to approve Variance #2018-19 and Variance #2018-21 as long as the waiver, indemnity clause is signed and returned to the town hall within 10 days and all the railing is removed within 45 days, except for the stair railings. Second by Member Coe. All in favor-aye. Motion Carried.

Secretary Pranger informed the board the railing has not been removed from the two properties on Lions Drive. They were given 45 days and it has been 70 days and nothing has been done. The board instructed Secretary Pranger to send a violation letter to both parties giving them ten days to comply and to confer with Attorney Eberhard for verbiage and fines.

**NEW BUSINESS**

Variance #2019-11

Christopher and Jamie Cook, 890 Chambers Street, Rome City, IN 46784 are requesting a variance for relief from the Rome City Unified Development Code, Article 2.10 Single-family Residential District Development Standards; minimum street yard (collector-Bayview Drive) setback of forty feet down to thirty-four feet. This will allow for an addition of approximately 2330 sq. ft. to the east side of the house on Lot 12 in Sylvan Lake Addition. The petition, legal description, plot plan and variance 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 Fox called for Mr. Chris Cook to present

his petition. Mr. Lash, surveyor for Mr. Cook, stated he will be presenting on behalf of Mr. Cook. Mr. Lash presented a survey of Mr. Cook's property showing the property, right-of-way and the section lines. Mr. Lash stated this is peculiar to this property as the section lines and the center lines of the road do not match up therefore that leaves one side of the new addition too close to the road per the town codes. This has been a problem in the past with other properties. Member Morris asked if this only affect the northeastern portion of the property. Mr. Lash stated it is Bayview Drive which does not follow the sections line. Mr. Lash stated yes for Mr. Cook's property it is the NE side. Member Coe asked what all will be included in the addition? Mr. Lash stated it will be a 3-car garage to the north side and two bedrooms behind with living quarters for his in-laws. Mr. Lash stated that new construction is good for the neighboring properties and the town. Member Tatman confirmed the variance is for 5' on the northeast side of the lot. Secretary Pranger confirm yes. Member Friskney asked if this will be used as a rental. Mr. Cook stated, no it will be for his in-laws.

Chair Fox called for interested parties on variance #2019-11. Secretary Pranger informed the board the adjoining owners were notified and three out of eleven were returned with no comments and she asked Member Coe if she had any issues with the project as she is an interested party. Member Coe stated she had no problem with their variance. No interested parties in attendance on this variance request. Chair Fox called for a motion per the findings of fact. Member Tatman made a motion to allow variance #2019-11 per the findings of fact and no rental. Second by Member Morris. All in favor-aye. Motion carried.

#### Variance #2019-12

Kenneth and Meghan Cook, 911 Harbor Court, Rome City, IN 46784 are requesting a variance for relief from the Rome City Unified Development Code, Article 5.23 FW-04 Residential Fence Standards, D. Exclusion limiting a dog run to 50 sq. ft. to allow an 8'x16'=128 sq. ft and to allow a dog run in the lake yard. This will allow for a dog run (8'x16') along the north side of the existing garage within the lake yard, as this property is a peninsula and has lake on three sides of the lot. The petition, legal description, plot plan and variance 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 Fox called for Mr. Ken Cook to present his petition to the board. Mr. Chris Bornman, contractor for Mr. Ken Cook, stated he will be presenting on behalf of Mr. Cook. Mr. Bornman informed the board Mr. Cook's lot is unique in that it is a peninsula and has water on three sides, so he technically does not have a backyard, which is where the code allows dog runs. He noted the property does have an invisible fence, but they are requesting the dog run for the dogs to have access to the outside when they are not at home. He also informed the board they need a larger run due to the size of the dogs. They have a Great Dane and chihuahua. Mr. Bornman stated the fence will be a black picket fence, five feet tall and there are several trees in the area to help shade the dogs and add some cover from the lake. Member Tatman asked about dogs barking during the day? Mr. Bornman stated, the dogs are relatively quiet and well behaved, if they started barking it is usually due to other dogs in the neighborhood barking. Member Fox asked what the floor of the dog run will be made of? Mr. Bornman stated part of it will be grass and part will be concrete. Member Fox asked about removal of waste. Mr. Bornman stated they have a professional waste cleaner come and clean the yard once a week. Chair Fox called for

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any interested parties on behalf of Variance #2019-12. Secretary Pranger informed the board that 4 out of 6 returned with no comments. She added Mr. Crist stopped in and stated he does not have an issue with the dog run. There being no further comments chair Fox called for a motion per the findings of fact. Member Friskney made a motion to approve Variance #2019-12 as presented per the findings of fact. Second by Member Coe. All in favor-aye. Motion Carried.

**MISCELLANEOUS BUSINESS**

Nothing on the agenda.

Next Meeting: October 17, 2019 at 7:00 p.m.

There being no further business Member Tatman made a motion to adjourn the meeting at 8:27 p.m. Second by Member Morris. All in favor-aye. Motion Carried.

  
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Judy Fox, Chair BZA

Attest:   
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Leigh A. Pranger, Secretary