

ROME CITY BOARD OF ZONING APPEALS

Regular Meeting

March 21, 2019

The Rome City Board of Zoning Appeals held their regular meeting on Thursday, March 21, 2019 at 7:00 p.m. in the Rome City Town Hall. The meeting was called to order by President Judy Fox.

Members Present:

Leigh A. Pranger-Secretary

Kelly Morris

Christine Coe

Mike Friskney

Barb Tatman

Judy Fox

Rollcall determined a quorum was present.

Interested Parties in attendance: Attorney Dustin Glick, Attorney Steve Snyder-representing Terry Williams and Kim Angell, David and Suzette White, Wayne and Judy Fox.

Member Taman 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

Appeal by David White of the Plan Directors; decision to allow a wall to be constructed on the Williams/Angell seawall-at 448 Spring Beach Road.

President Fox requested Attorney Glick update the board on attorney Eberhard's opinion.

Attorney Glick informed the board Attorney Eberhard stated the IDNR does not have jurisdiction over a wall which is not below the waterline of the lake. Our zoning ordinance specifically states that no building or structure shall be permitted within 10 feet of the shoreline. Therefore, when Plan Director Pranger allowed the construction of the wall she should have had them apply for a variance. The board has two options; they can reverse the Plan Director's decision and then Angell/Williams can request a variance to keep the wall or the board can uphold the Plan Director's decision.

President Fox called for a motion and a vote on the appeal. Vice President Morris made a motion to overturn the ruling of the Plan Director's decision. Second by Member Tatman. All in favor-aye. Motion Carried. Attorney Eberhard stated the stop work order continue in this matter and a variance be set for hearing at the next meeting. Secretary Pranger asked what happens if the Angell/Williams do not apply for the variance. Attorney Glick stated a letter will have to be sent for removal of the wall.

NEW BUSINESS

President Fox informed the board she will be abstaining from the vote on the next petition as she will be presenting the variance for her home along with her husband.

Variance #2019-03

Wayne E. & Judith A. Fox, 824 Lakeside Drive, Rome City, IN 46784 are requesting a variance for relief from the Rome City Unified Development Code, Article 2.12 Lake Residential District Development Standards minimum side yard setback requirement of seven feet down to three feet on the north side and six feet on the south side of Lots 4 and 5 in South Bluff Subdivision. This will allow for an addition to the second story on the roadside of the home. The petition, legal

P.O. Box 338

402 Kelly Street

(260) 854-2412

Rome City, IN 46784

www.townofromecity.org

March 21, 2019

Page 2 of 2

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.

Vice-President Morris called for Wayne and Judy to present their petition to the board. Judy Fox passed out a packet of information containing their findings of fact, floor plan of the house, floor plan of the upstairs, and pictures of the home. Mrs. Fox stated they would like to be able to cantilever at least 3-4 feet the second story of the home toward the roadway. This will give them enough additional room to install a half bath and some closets in the upstairs. She stated the master bedroom is upstairs along with two other bedrooms. If they install the half bath without the addition it will take over the area of one of the bedrooms. They really do not want to lose a bedroom for resale purposes and overnight guests. Mrs. Fox stated they currently have very little closet space and the restroom is located on the first floor. Mr. Fox stated he will also be upgrading the wiring in the home as they have had a few scares with electrical fires. He noted the wiring is still the old black wiring with the porcelain conduits. He added the electrical issue has speed up the need to fix the wiring. Since he will be stripping the rooms now is the most logical time to do the small addition. Member Friskney asked about the addition and the direction it will be extending over. Mrs. Fox stated the sidewalls will just be extend toward the road they will stay in line with the existing home. The cantilevered area will be basically taking the place of the first floor over hang and extend out a couple more feet.

Vice-President Morris called for interested parties on behalf of Variance 2019-03. Secretary Pranger stated she notified the four adjoining owners and three of the four returned with no comments. No other interested parties were present.

There being no further discussion. Vice-President Morris call for a motion. Member Tatman made a motion to approve Variance #2019-03 per the findings of fact. Second by Member Coe. All in favor-aye. Motion Carried.

MISCELLANEOUS BUSINESS

Blum/Hayes Variance for April. Secretary Pranger informed the board she will be having the Road Right-of-way surveyed to see where the deck/dock is located. If the deck/dock is found to be in the ROW. They will have to remove the deck; the dock will be ok as long as it is not a permanent pier.

The board discussed additions to the zoning code to prevent this from happening again in the future. Secretary Pranger asked the board to think about some verbiage and forward their thought to her email.

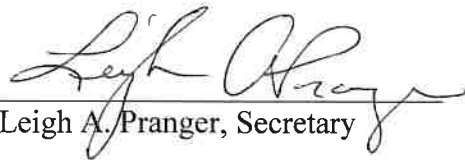
Next Meeting: April 18, 2019 at 7:00 p.m.

There being no further business Member Tatman made a motion to adjourn the meeting at 7:45 p.m. Second by Member Friskney. All in favor-aye. Motion Carried.



Judy Fox, President BZA

Attest:



Leigh A. Pranger, Secretary

402 Kelly Street

P.O. Box 338
(260) 854-2412
www.townofromecity.org

Rome City, IN 46784