

variance as presented per the findings of fact. Second by Member Tatman. All in favor-aye. Motion Carried.

Variance #2015-11

Josh and Heather Molen, 884 Lakeside Drive, Rome City, IN, are requesting a variance for the acreage located north (across Lakeside Drive) from their residence for relief from Rome City Unified Development Code, Section 2.10 Single Family Residential District Development Standards; Accessory Structures height maximum of sixteen feet up to twenty-two feet; 5.03 AS-01 General Accessory Structure Standards E. Utilities to allow a restroom in the accessory structure; 5.06 AS-04 Single Family residential Accessory Structure standards C. Quantity and Size 2. Maximum size of 1200 sq. ft. up to 6000 sq. ft. for storage; D. Materials exterior of vinyl siding and metal roof. This will allow for the construction of a 60' x 100' storage building (personal use only) with a restroom. President Morris called for Mr. Molen to present his petition to the board. Mr. Molen stated he purchased the woods across from his property and he would like to construct a building for personal use and personal storage. Mr. Molen stated the driveway will be directly across from the driveway to his residence. The building will have the garage doors facing south toward the house for security purposes. He stated he plans for his son to build a house in the woods in the next few years. Mr. Molen stated he understands he will have to install a grinder station for the accessory building and the house. He will make sure it meets the town's specifications. Member Heffner asked what kind of restroom will be installed? Mr. Molen stated a ½ bath, a toilet and sink in the building for personal use. No living quarters will be in the building, it will be for clean up purposes. Mr. Molen informed the board the need for the large size of the building is due to storing three families' recreational toys. He added that he would like to install a car lift as his hobby is working on cars. He has no intention of running a business from the building. The car lift is the reason for the height variance he will need at least 12' walls to accommodate the lift. Member Fox asked if there will be a second story? Mr. Molen stated no, the height requested is due to the car lift it will be an open span building. President Morris called for all interested parties on behalf of variance #2015-11. Secretary Pranger informed the board she notified the 12 adjoining owners and 6 returned with no comments. Mr. Simmonds stated he objects to the size of the building as it is as large as some industrial site building. He stated his opposition to the removal of the trees to construct the building. He stated he understands the need for storage space but not for the size of building they are requesting. Mr. and Mrs. Fred Ishmael neighbors to the Molen's stated their support for the building. Mr. Ishmael stated he has a 20' x 40' building and it is definitely not big enough to store all of his stuff. Mrs. Ishmael stated she supports the building and the size; she would like to see everything stored neatly inside then all over the property. They stated they know the Molen's and know they will build a nice building. Mr. Simmonds asked what the setback will be from Lakeside Drive. Mr. Molen stated it will be approximately 55' back from the edge of the road and he plans to keep the trees to the north and west sides. He doesn't intend to take down any more trees than necessary to get the building built. He added he knows what a site looks like when all the trees are removed; it becomes a parking lot and an eyesore for the neighborhood. Member Fox stated no kitchen or shower facilities and no business activities will be allowed. There being no further discussion President Morris called for a rollcall on the finding of fact. A yes vote is a positive vote for the variance and a no vote is a vote against the variance.

1. The board finds, the proposed variance will not be injurious to the public health, safety, morals and general welfare of the community because: it is consistent with uses in the area. Rollcall for vote: Barb Tatman-Yes, Judy Fox-Yes, Nick Heffner-Yes, Kelly Morris-Yes.
2. The board finds, the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner because: the storage will improve the area. Rollcall for vote: Judy fox-Yes, Nick Heffner-Yes, Kelly Morris-Yes, Barb Tatman-Yes.
3. The Board finds, the strict application of the terms of the Zoning Ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the Variance is sought, because: the building is necessary for use of principal property. Rollcall for vote: Nick Heffner-Yes, Kelly Morris-Yes, Barb Tatman-Yes, Judy Fox-Yes.
4. The board finds, the variance granted does not correct a hardship caused by an owner, previous or present, of the property, because: the structure requires board review and approval. Rollcall for vote: Kelly Morris-Yes, Barb Tatman-Yes, Judy Fox-Yes, Nick Heffner-Yes.
5. The Board finds the Variance granted is the minimum necessary for the project because: of building size only and no setback variances needed. Rollcall for vote: Barb Tatman-Yes, Judy Fox-Yes, Nick Heffner-Yes, Kelly Morris-Yes.
Variance #2015-11 passed on all five findings. Variance Granted with restrictions; no kitchen, no business, toilet and sink only.

Variance #2015-12

Wayne & Jeri Wigner, P.O. Box 724, Topeka, IN 46571, are requesting a variance for 126 Central Ave., Rome City, IN 46784 for relief from Rome City Unified Development Code, Section 2.12 Lake Residential District Development Standards; Minimum Lot area of 10,000 sq. ft. down to 3,625 sq. ft., Minimum lot width of 100' down to 25'; Maximum Lot Coverage of 45% up to 64%; Maximum Structure Coverage of 35% up to 55%; Streetyard setback for primary and accessory requirement of 25' down to zero setback on the south side of the lot; sideyard setback requirement of 10' for primary down to 5' and accessory 7' down to 5' for deck- north side 5' and south side zero; Lakeyard setback requirement of 25' down to 17' for accessory (deck). Also to allow a concrete drive approach in the road right of way (Central Avenue). This will allow for the addition of a 22' x 42' garage and two story home on a walk out basement with two upper decks.

President Morris called for Mr. Wigner to present his petition to the board. No one was present. Secretary Pranger informed the board she spoke with Mr. Wigner on Tuesday and he stated he was not sure what he was going to do as his neighbor was not in favor of the front setback variance. He stated he didn't want to move forward without the neighbor being in favor. Secretary Pranger stated he can asked to table the request and bring the petition to the board at a later date. Mr. Wigner stated he didn't know what to do. Attorney Eberhard asked whether there were any interested parties present for variance #2015-12. Mr. Glen Coe said yes he lives in the neighborhood and came for the Wigner variance. Attorney Eberhard asked if he had objections to the variance. Mr. Coe stated yes, the lot is too small for all the variance they are requesting. He stated he is against the variance. Secretary Pranger stated two of the adjoining neighbors sent

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in objections to the front yard (lake yard setback). Attorney Eberhard informed the board since MR. Wigner did not tabled the variance the board will have to make a motion of the variance. Member Tatman made a motion to deny variance #2015-12 per the objections by adjoining owners and owners in the neighborhood. Second by Member Heffner. All in favor-aye. Motion Carried- Variance #2015-12 Denied.

Variance #2015-13

Thomas and Pamela Miller, 17116 Coldwater rd, Fort Wayne, IN, are requesting a variance for 760 Spring Beach Rd., Rome City, IN 46784 for relief from Rome City Unified Development Code, Section 2.12 Lake Residential District Development Standards; Minimum Lakeyard setback requirement for primary of 25' down to 17'; Sideyard setback requirement for primary 10' down to 2'6" and accessory requirement of 7' down to 2'. This will allow for a stick built home being constructed-ranch on a walkout basement attached to existing garage.

President Morris called for Mr. Miller to present his petition to the board. Mr. Miller presented the board with his survey, plot plan, and blueprints. Mr. Miller informed the board the house is just an old cottage and in need of being torn down. He noted the new house will be in the same footprint as the old home. The front setback will actually be an improvement for neighbors view as the house will setback further from the water and the area needing the variance will be a screen porch the neighbors. The variance is necessary on only the north east corner due to the shoreline of the lake. The shoreline angles back to the north causing the front corner to be shorter. Mr. Miller stated the new home will be contained on only one lot just as the existing home is now. Member Fox asked if the sideyard setback will be the same. Mr. Miller stated yes. Secretary Pranger stated the sideyard setback variance has to do with the porch on the garage and it is existing. Secretary Pranger stated she included it in the variance so that it can remain in place and not cause problem should the adjacent (vacant) lot be built on in the future.

President Morris called for interested parties on Variance #2015-13. Mr. Jim Coe was present he stated no objections to the project. Secretary Pranger informed the board she notified all the adjoining owners and three returned with no comments. The Rahal's sent in a letter asking: 1-will the two houses will be closer together than they are now? No the house will be the same distance apart-keeping the same footprint. 2-will their view of the lake be obstructed? No the house will be in the same footprint. 3-will the machinery used to build the new house block the easement between the house and Spring Beach Road? No it is illegal to block access roads-stated the Town Attorney. There being no further questions or comments President Morris called for a motion. Member Tatman made a motion to approve variance #2015-13 per the findings of fact. Second by Member Fox. All in favor-aye. Motion carried.

MISCELLANEOUS BUSINESS

Next Meeting: January 21, 2016 at 7:00 p.m.-Election of Officers.

There being no further business Member Tatman made a motion to adjourn the meeting at 7:58 p.m. Second by Member Fox. All in favor-aye. Motion Carried.

Kelly Morris, President
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Attest: _____
Leigh A. Pranger, Secretary
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