

**ROME CITY BOARD OF ZONING APPEALS**  
**Regular Meeting**  
**January 18, 2018**

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The Rome City Board of Zoning Appeals held their regular meeting on Thursday, January 18, 2018 at 7:00 p.m. in the Rome City Town Hall. The meeting was called to order by Chair Morris.

Members Present:

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

Members Absent:

Mike Friskney

Roll call determined a quorum was present.

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

Interested parties in attendance: Attorney-Bill Eberhard, Kelli and Cole Brandenberger-Contractors for Mr. John Herber

**OLD BUSINESS**

Election of Officers: The board discussed new officers. Member Tatman made motion to elect Member Fox to Chair and Member Morris to Vice Chair, Secretary to remain Leigh Pranger. Second by Member Coe. All in favor-aye. Motion Carried.

**NEW BUSINESS**

Chair Fox took over the meeting

Variance #2018-01

John F Herber Sr., Rev Living Trust C/O Herber Helen, 10 Jefferson Road Unit 1D, Webster Groves, MO, are requesting a variance for 1380 North Shore Drive, Rome City, IN 46784 from the Rome City Unified Development Code, Section 2.12 Lake Residential District; Requiring Accessory Structures (Deck) to be setback 25' from the lake. They are requesting the deck on Lot 26 (O'Connor Beach Addition) be 10' from the lake to match the existing deck on Lot 27 (O'Connor Beach Addition). The petitioner is constructing a 10' X 52.33' addition (includes a second story over the existing house and the new addition) onto Lot 27 and want to extend the deck in front of the new addition so the front of the home matches. The petition, legal description, plot plan and drawing of the proposed addition and decking 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. Herber to present his petition to the board. Mrs. Kelli Brandenberger, builder for Mr. John Herber addressed the board with a blue print of the first floor and an artist conceptual picture of the front of the house with the proposed deck. Mrs. Brandenberger informed the board the home is in the process of having the east side addition and second story added. This work all met the setbacks however; the deck will be too close to the water as the home previously asked for a variance and was granted for the deck to be within ten feet of the water's edge. The variance request is to extend the deck to the east the width of the new addition to match the existing deck. The board reviewed the drawings and did not see anything out of

line. Chair Fox called for interested parties on Variance #2018-01. Secretary Pranger informed the board all adjoining owners were notified and returned with no comments. There being no further discussion Chair Fox called for the findings of Fact. Attorney Eberhard informed the board a yes vote is a vote in favor of the variance and the no vote is a vote against the variance. Rollcall for vote.

1. The Board finds, the proposed variance will not be injurious to the public health, safety, morals and general welfare of the community because: matches existing deck with expansion.

Roll call for vote: Judy Fox-Yes, Christine Coe-Yes, Kelly Morris-Yes, Barb Tatman-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: matches existing deck with expansion. Rollcall for vote: Christine Coe-Yes, Kelly Morris-Yes, Barb Tatman-Yes, Judy Fox-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 of which the Variance is sought, because –current deck is permitted, this expansion matches. Roll call for vote: Kelly Morris-Yes, Barb Tatman-Yes, Judy Fox-Yes, Christine Coe-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 current deck is permitted, this expansion matches. Roll call for vote: Barb Tatman-Yes, Judy Fox-Yes, Christine Coe-Yes, Kelly Morris-Yes

5. The Board finds the variance granted is the minimum necessary for the project because matches up to current deck. Roll call for vote- Judy Fox-Yes, Christine Coe-Yes, Barb Tatman-Yes, Kelly Morris-Yes.

Variance #2018-01 Passed on all five findings of fact-Variance #2018-01 Approved.

**MISCELLANEOUS BUSINESS**

1. Secretary Pranger informed the board she is still working on the updates to the UDO for the board's review. She will forward copies by email as soon as they are completed.

2. Secretary Pranger presented the board with a complaint received on November 16, 2017 from Dan and Barb Tatman regarding the gravel hauling by Eshelman Excavating on 1100N. The letter stated several violations and safety hazards by the company. The board stated they would like to have more than one written complaint before acting on this. Mrs. Tatman stated she will contact the neighbors to see if they are interested in filing a complaint.

Next Meeting: February 15, 2018 at 7:00 p.m.

There being no further business Member Fox made a motion to adjourn the meeting at 7:29 p.m. Second by Member Coe. All in favor-aye. Motion Carried.

  
Judy Fox, Chair

Attest:   
Leigh A. Pranger, Secretary