

**ROME CITY PLAN COMMISSION**  
**Regular Meeting**  
**September 17, 2020**

The Rome City Plan Commission held their regular meeting on Thursday, September 17, 2020 at 6:30 p.m. in the Rome City Town Hall. The meeting was called to order by Plan Commission President Kelly Morris at 6:35 p.m.

Members Present:

Leigh A. Pranger-Secretary	Kelly Morris
Barb Tatman	Brent Leiter-by Zoom

Members Absent:

Nick Heffner	Kirk Klein
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Rollcall determined a quorum was present.

Interested parties in attendance: Bill Eberhard-Town Attorney by Zoom, Josh Lash-representing Molen's, David Rose, Josh and Heather Molen.

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

**OLD BUSINESS**

Simple Subdivision #2020-29.

Rome City Properties LLC, Terrence & Debra Kopp, 1240 Oakview Road, Long Lake, MN 55356 owners of the northwest corner of CR 850 N and Eastgate Drive, Kendallville, IN 46755 approximately 15.76 Ac they are requesting primary and secondary approval of a three lot major subdivision hereby known as "The Promised Land Estates". Described as a subdivision located: A tract of land located in the Northwest Quarter of Section 23, Township 35 North, Range 10 East, in Noble County, the State of Indiana, more fully described as follows: Commencing at the southwest corner of said northwest quarter marked by a railroad iron corner post found this survey; thence S 89°32'28" E (record), along the south line of said northwest quarter, for 1353.47 feet to the point of beginning marked by a survey spike found this survey; thence continuing S 89°32'28" E, along the south line of said northwest quarter, for 1140.34 feet to a survey spike found this survey at the intersection of the westerly right-of-way of Eastgate Drive and the south line of said northwest quarter; thence N 01°52'47" E, along the westerly right-of-way line of Eastgate Drive and the southerly prolongation thereof, for 560.92 feet to a rebar set this survey at the southeast corner of Lot 5 in the Secondary Plat of Eastgate Section 1; thence along the southerly line of said Lot 5 in the Secondary Plat of Eastgate Cove Section 1; for the following three bearings and lengths: N 83°08'01" W for 111.11 feet to a rebar found this survey; N 06°51'59" E for 28.57 feet to a rebar found this survey; N 48°54'23" W for 426.47 feet to the edge of Sylvan Lake; thence along the edge of Sylvan Lake, S 01°40'12" W for 134.67 feet; thence S 48°54'23" E for 204.28 feet; thence S 48°34'32" W for 178.75 feet; thence S 41°25'28" E for 50.00 feet; thence S 48°34'32" W for 62.15 feet; thence S 52°26'29" W for 136.09 feet; thence S 57°56'21" W for 137.53 feet; thence S 68°15'56" W for 51.10 feet; thence S 00°27'32" W for 75.60 feet; thence S 68°15'56" W for 129.60 feet; thence N 00°27'32" E for

402 Kelly Street

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Rome City, IN 46784

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129.60 feet; thence N 30°33'00" W for 325.35 feet; thence S 89°06'32" W, along a portion of the south line of Lot 1 in the Secondary Plat of Antlers Point as platted and recorded in Noble County Document Record #020500766, for 183.70 feet to a rebar found this survey; thence S 00°53'28" E, along a portion of the east line of said Lot 1, for 516.20 feet to the point of beginning, said tract containing 12.146 acres, more or less, and being subject to all public road rights-of-ways and all easements of record.

Secretary Pranger informed the board Mr. Shane Perfect contacted her, and stated they are not ready to come before the board and asked for their petition to be tabled to the October 15, 2020 meeting. Member Tatman made a motion to tabled petition #2020-29. Second by Member Leiter. All in favor-aye. Motion Carried.

### **NEW BUSINESS**

New Addresses for Oak Shores:

9080 N Overlook Drive

9076 N Overlook Drive

9072 N Overlook Drive

Secretary Pranger informed the board we have three new homes going up in Oak Shores and they need addressed, Pranger contacted the county GIS and the above-mentioned addresses were agreed upon with Noble County. Member Tatman made a motion to approve the three addresses. Second by Member Pranger. All in favor-aye. Motion Carried.

### **Public Way Vacation #2020-35PC**

Joshua A and Heather M Molen, 881 Lakeside Drive, Rome City, IN and Qubais Reed Ghazala 874 Lakeside Circle, Rome City, IN are requesting to vacate .11 +/- Acres of Woodland Avenue within the annexed territory of the Town of Rome City, the property is located on the eastside of Lakeside Circle. The vacated public way is approximately 0.11 acres and will be replatted into a two-lot subdivision called "Molen's Place". More fully described as: A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 35 NORTH, RANGE 10 EAST, IN NOBLE COUNTY, THE STATE OF INDIANA, AS SURVEYED BY JOSHUA P. LASH, INDIANA PROFESSIONAL SURVEYOR #20900180 AND SHOWN ON A PLAT OF SURVEY CERTIFIED ON AUGUST 13, 2020 AS MIDWEST LAND SURVEYING, LLC, PROJECT #35-10-15-006A, MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A REBAR SET AT THE NORTHEAST CORNER OF LOT TWENTY (20) OF SOUTH BLUFFS, PER PLAT THEREOF, AS RECORDED IN NOBLE COUNTY PLAT BOOK 1, PAGE 35; THENCE S 66°42'35" W (GRID BEARING), ALONG THE NORTH LINE OF LOTS TWENTY (20), NINETEEN (19) AND EIGHTEEN (18) AND THE SOUTH LINE OF WOODLAND DRIVE, FOR 96.00 FEET TO A REBAR SET AT THE NORTHWEST CORNER LOT EIGHTEEN (18); THENCE N 71°07'34" W, ALONG THE SOUTH LINE OF WOODLAND DRIVE, FOR 11.37 FEET TO A REBAR SET AT THE NORTHEAST CORNER OF A TRACT OF LAND CONVEYED TO EDWARD C. BRAMES AND CRISTINE M. BRAMES PER NOBLE COUNTY DOCUMENT NUMBER 100700600; THENCE N 06°18'12"E, ALONG THE EXTENSION OF THE EAST LINE OF SAID BRAMES TRACT, FOR 26.11 FEET TO A REBAR SET AT THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 42.84 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE, FOR A DISTANCE OF 30.06 FEET, SUBTENDED BY A LONG CHORD BEARING OF N 24°49'18" E, WITH A DISTANCE OF 29.45 FEET TO A REBAR SET ON THE NORTH OF WOODLAND DRIVE; THENCE N 66°42'35" E, ALONG THE NORTH LINE OF WOODLAND DRIVE, FOR 80.73 FEET TO A BRASS MONUMENT FOUND; THENCE S 10°45'17" E, FOR 51.22 FEET, ALONG THE WEST LINE OF WOODLAND DRIVE AS PREVIOUSLY VACATED, FOR 51.22 FEET TO THE POINT OF BEGINNING,

SAID TRACT OF LAND CONTAINING 0.11 ACRES, MORE OR LESS AND BEING SUBJECT TO ALL PUBLIC ROAD RIGHTS-OF-WAY AND ALL EASEMENTS OF RECORD.

**Vacation #2020-36PC**

Joshua A and Heather M Molen, 881 Lakeside Drive, Rome City, IN and Qubais Reed Ghazala 874 Lakeside Circle, Rome City, IN are requesting to vacate Reserve Adj Lakeview E 1/2 of Lot 12; South Bluff Lot 18; South Bluff W 1/2 Lot 19; South Bluff E1/2 Lot 19; South Bluff Lot 20 within the annexed territory of the Town of Rome City, the property is located on the southside of Lakeside Circle. The vacated lots are approximately 0.33 acres and will be replatted into a two-lot subdivision called "Molen's Place".

**Simple Subdivision #2020-37.**

Joshua A and Heather M Molen, 881 Lakeside Drive, Rome City, IN and Qubais Reed Ghazala 874 Lakeside Circle, Rome City, IN are requesting primary and secondary approval of a two-lot simple subdivision hereby known as "Molen's Place". Described as a subdivision located:  
A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 35 NORTH, RANGE 10 EAST, IN NOBLE COUNTY, THE STATE OF INDIANA, AS SURVEYED BY JOSHUA P. LASH, INDIANA PROFESSIONAL SURVEYOR #20900180 AND SHOWN ON A PLAT OF SURVEY CERTIFIED ON AUGUST 13, 2020 AS MIDWEST LAND SURVEYING, LLC, PROJECT #35-10-15-006C, MORE FULLY DESCRIBED AS FOLLOWS:

BEGINNING AT A REBAR SET AT THE NORTHEAST CORNER OF LOT TWENTY (20) OF SOUTH BLUFFS, PER PLAT THEREOF, AS RECORDED IN NOBLE COUNTY PLAT BOOK 1, PAGE 35; THENCE S 11°16'52" E (GRID BEARING), ALONG THE EAST LINE OF LOT TWENTY (20), FOR 152.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT TWENTY (20); THENCE N 83°25'06" W, ALONG THE SOUTH LINE OF LOTS TWENTY (20), NINETEEN (19) AND EIGHTEEN (18), FOR 105.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT EIGHTEEN (18); THENCE N 82°51'10" W, FOR 35.50 FEET TO THE EAST LINE OF A TRACT OF LAND CONVEYED TO EDWARD C. BRAMES AND CHRISTINE M. BRAMES PER NOBLE COUNTY DOCUMENT NO. 100700600; THENCE N 06°18'12" E, ALONG THE EAST LINE OF SAID BRAMES TRACT AND THE EXTENSION OF SAID LINE, FOR 125.04 FEET TO A REBAR FOUND AT THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 42.84 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE FOR A DISTANCE OF 30.06 FEET, SUBTENDED BY A LONG CHORD BEARING OF N 24°49'18" E, WITH A DISTANCE OF 29.45 FEET TO A REBAR SET ON THE LINE OF WOODLAND DRIVE; THENCE N 66°42'35" E, ALONG THE NORTH LINE OF WOODLAND DRIVE, FOR 80.73 FEET TO A BRASS MONUMENT FOUND; THENCE S 10°45'17" E, FOR 51.22 FEET TO THE POINT OF BEGINNING, SAID TRACT OF LAND CONTAINING 0.44 ACRES, MORE OR LESS, AND BEING SUBJECT TO ALL PUBLIC ROAD RIGHTS-OF-WAY AND ALL EASEMENTS OF RECORD.

The board discussed the three petitions presented by the Molen's, Secretary Pranger informed the board the Molen's need variances approved by the Board of Zoning Appeals in order for everything to be approved. Attorney Eberhard stated the any motions made by the Plan Commission will be dependent on approval of the variances by the BZA. President Morris called for the Molen's to present their petitions to the board. Surveyor Josh Lash addressed the board with drawings of the road and plat vacations and the Simple Subdivision. Mr. Lash stated the Molen's purchased Reserve Adj Lakeview E1/2 Lot 12 South Bluff Lot 18 South Bluff W1/2 Lot 19 a few years ago. They would like to build on the lot and found the lot too small for the house they wanted to build. The east end of Woodland Avenue had already been vacated and after talking with Leigh Pranger it was decided they could request the rest of the road be vacated for additional lot area. Therefore, there is additional lot area given to both lots, one owned by Molen's and the other Ghazala. Mr. Ghazala will be given a fifteen-foot easement to access Lakeside Circle. The two lots will have the same square footage of 9585 and have access to

Lakeside Circle. The vacation of the platted lots is due to the addition of lot area and the new access to the road for Mr. Ghazala. The board stated the road vacate definitely helps with the square footage of the 2 lots. The new subdivision will be called Molen's Place. After some discussion President Morris called for interested parties on the Vacation #2020-35, Vacation #2020-36 and Simple Subdivision #2020-37. Secretary Pranger informed the board all adjoining owners and owners in the original subdivision were notified by certified mail. Secretary Pranger stated the returned notices did not have any comments on them. There being no interested parties present or on Zoom, President Morris ask for a motion. Member Leiter made a motion to approve Vacation #2020-36 as presented, Vacation #2020-35 a favorable recommendation to the Town council to vacate, and the approval of the Simple Subdivision #2020-37 is contingent upon the approval of Variance #2020-38 by the Rome City Board of Zoning Appeals. Second by Member Tatman. All in favor-aye. Motion Carried.

**Use Variance #2020-34**

David M. & Sandra S Rose, 301 Kelly Street, Rome City, IN 46784 are requesting a use variance from the Rome City Unified Development Ordinance, Section 2.19; Central Business District; to allow the business to be used as a residence.

President Morris called for Mr. Rose to present his petition-Use Variance #2020-34 to the board. Mr. Rose informed the board he has owned 301 Kelly Street in Rome City since 1987 and sold insurance there until he retired in 2016. In July 2017 through October 2018 he had a Chiropractor renting the space. Since the chiropractor moved he has not had any serious inquiries to rent the building for commercial purposes. Mr. Rose stated he has spent \$20,000 to upgrade the building and he has been unable to rent it for two years. The taxes, insurance and utilities are \$350 per month. He noted the demand for residential rental property has increased over the years and the need for office space has declined, as many people work from home now. Attorney Eberhard informed the board Mr. Rose is asking for a Use Variance to go from Commercial rental to a residential rental, which will give him the ability to rent the property as a residence. Should he want to sell the property he will have to come back in and have it turned back to commercial or have the proposed buyer (as a residential house) appear before the board and make the request. A use variance is for the current owner of the property and any changes will have to be brought back to the board.

Member Pranger asked how many inquires has he had for a residential rental? Mr. Rose stated he get one or two calls a week to rent the property as a residence.

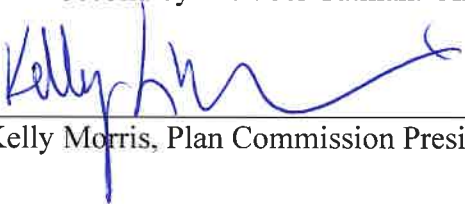
President Morris stated this area is really a mixed-use area, as there are businesses mixed in with residential in this section on State Road 9. President Morris called for interested parties on behalf of Use Variance #2020-34. Secretary Pranger informed the board all adjoining owners were notified and only one returned with a comment. Mrs. Hicks across the street, stated Mr. Rose should be able to use his property however he wants. There was no present in the hall or on Zoom. There being no further discussion President Morris called for a motion. Member Tatman made a motion to recommend approval of the Use Variance #2020-34 for a residential use for this owner only-Mr. David Rose to the Rome City Board of Zoning Appeals. Second by Member Leiter. All in favor-aye. Motion carried.


**MISCELLANEOUS BUSINESS**

1. Secretary Pranger informed the board she downloaded the InDesign program and has begun making changes to the code books.

Next Meeting: October 15, 2020 at 6:30 p.m.

There being no further business Member Leiter made a motion to adjourn the meeting at 7:01 p.m. Second by Member Tatman. All in favor-aye. Motion Carried.

  
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Kelly Morris, Plan Commission President

Attest:   
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Leigh A. Pranger, Secretary