

ROME CITY BOARD OF ZONING APPEALS
Regular Meeting
June 20, 2024

The Rome City Board of Zoning Appeals held their regular meeting on Thursday, June 20, 2024 at 7:00 p.m. in the Rome City Town Hall. The meeting was called to order by President Kelly Morris.

Members Present:

Barb Tatman
Kelly Morris
Thom Clifton

Gerrit Geurs
Leigh A. Pranger-Secretary

Members Absent:

Christine Coe

Rollcall determined a quorum was present.

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

Interested Parties in attendance: Town Attorney Dustin Glick, Tony Tranquill-representing Mark Webb, John and Erin Fry, Pam Baker, Dave Desper, Rick Uszko-representing Sandra Lewis, Amber Stieglitz, Colin Eley-Michiana Builders.

OLD BUSINESS

Nothing for the agenda

NEW BUSINESS

Use Variance #2024-12

State of Indiana, acting by & through the Indiana Department of Administration for & on behalf of Department of Natural Resources, Division of Museums and Historic Sites, 3543 E 900 N, Rome City, IN 46784 are requesting a use variance for 3543 E 900 N, Rome City, IN (aka. Sowers Farm) are requesting relief from the Rome City Unified Development Ordinance, Section 2.01; Conservation District; to allow a business to operate in the "Sowers Farmhouse". The business includes a General Store and Tea Room, additional uses bike and kayak rental, yoga studio, kids club and specialty days and events and other similar uses. To include signage on the house and a free-standing sign, operation open year-round, seven days a week with hours from 8 am to 10 pm.

President Morris called for John and Erin Fry to present their petition to the board. Secretary Pranger informed the board she needed to call Todd Zeigler with Indiana Landmarks (he had a scheduling conflict for tonight) for the Fry presentation as he has been working with them on the use of the Sowers Farmhouse. Erin Fry addressed the board stating they would like to use the first floor in the house as a General Store and Tea Room (serving coffee and tea). Future expansion would be to utilize the second floor for a yoga studio and Kids Club activities. Due to the close proximity of the Fishing Line bike trail, they will be doing bike and kayak rentals. There will be no exterior changes to the house. The front deck needs repairs and that will be done to make it safe. They will be expanding the parking lot to add 6

Rome City Board of Zoning Appeals

June 20, 2024

Page 2 of 4

spaces to the south. The sign for the business will be a smaller low-key sign in the front yard. Member Tatman asked if the barn is part of the project. Erin Fry stated no, the barn belongs to Gene Stratton-Porter and will remain theirs. Member Clifton asked about the location of the current driveway and the fact it is in a blind curve and he would like to see if that could be moved. Member Geurs suggested it could be moved to the south. Pranger suggested the drive closer to the house be an entrance and the exit be moved to the south. Mr. Zeigler stated Indiana Landmarks could work with the state to make the entrance safer if necessary. Member Clifton stated the problem might resolve itself once the general store opens and people get used to vehicles coming in and out and slowing down their driving behavior. Presenter Erin Fry informed the board that the general store will cater to people using the trails and Gene Stratton-Porter. They plan to sell Indiana Products and work in conjunction with Gene Stratton-Porter to offer a kids club. The store will be open days a week with operating hours of 8 am -10 pm. The later hours will be during the summer hours. The patio in the rear of the house will be restored for a seating area and rocking chairs. Todd Zeigler with Indiana Landmarks stated he oversees finding a use for the house and Fry's proposal fits with the overall plan for the house and the surrounding area and complements the Gene Stratton-Porter Site. There being no further board comments, President Morris called for interested parties on Use Variance #2024-12. Rick Uszko, representing Sandra Lewis at 1285 Hilltop Drive, stated they do not want the store open seven days a week and he feels the 10 pm operating hours are too late. He asked where the bicycles would be stored? Erin Fry replied the bicycles will be stored outside during the day for easy access and taken to the basement for storage overnight. The kayak rental will be done in partnership with another vendor. She said she plans to be open six days a week. She stated that the 10 pm. closing time would only be for special events, the typical closing time will be 7:00 p.m. Member Clifton noted the busiest time will most likely be over the weekend hours and not through the week. Mr. Uszko asked how late someone would be their closing up after the 10 pm. shift? Erin Fry stated it should only take about 15 to 20 minutes to close at night. Mr. Uszko stated there has been added bicycle traffic to their dead-end road since the trail went in. Mrs. Pam Baker, owner on Hilltop Drive asked if the Fry's had run a business previously, will they be selling the typical general store items: snacks, drinks, and souvenirs? Who will own the Sowers Farmhouse, or will the Fry's be renting the house? Erin Fry stated she will be leasing the house from the state and Indiana Landmarks will remain the owner of the building. She noted any changes to the interior or exterior of the building must be approved by the State. Mrs. Baker asked what would happen to the building should they fail at this business venture. Mr. Zeigler stated the lease is revoked and Indiana Landmarks works to find another viable business or use for the house. Mrs. Baker stated, she would love for the General Store to move in and begin operations, she welcomed them to the neighborhood. Mrs. Fry informed the board she is not planning on any overnight events unless in partnership with GSP. Mr. Todd Zeigler informed the board that this proposed use for the Sowers Farm is backed 100% by State Museums, Noble County Convention Visitor's Bureau and Gene Stratton-Porter and would love to help them in this venture. Erin Fry stated she is unsure about selling ice cream as she doesn't want to compete with other established businesses. President Morris asked if they could narrow down their operating hours considering comments from the neighbors. Erin Fry stated she can reduce hours to 8am-8pm. with special events going to 10 p.m. Mr. Uszko stated that is good for him. Member Clifton asked if they will be serving alcohol. Erin Fry stated no, this is a family friendly venture. Member Geurs stated he does not see this business to be a rowdy crowd and he is ok with the requested house from 8am to 10 p.m. There being no further discussion, President Morris called for a motion. Member Geurs made a motion to approve Variance #2024-12 as presented with the addition of an extra drive toward the south. Second by Member Tatman. All in favor-aye. Motion Carried.

Variance #2024-13

Sylvan Lake Properties LLC/Mark Webb, 4051 E 850 N, Rome City, IN is requesting variances from the Rome City Unified Development Code, Single family Residential District, Article 2.10 Single family

402 Kelly Street

P.O. Box 338

(260) 854-2412

Rome City, IN 46784

www.townofromecity.org

Residential District Development Standards: Maximum accessory structure height of 16' up to 27.2'. Also, relief from 5.06 single family accessory structures C. Quantity and Size 2. Maximum size 1,200 sq. ft. up to 3000 sq. ft. To allow for the construction of a 50' x 60' pole barn for storage.

President Morris called for the presentation of Variance #2024-13. Tony Tranquill, representing Mark Webb, for the requested variance to replace the existing pole barn with a 50' x 60' pole barn with a height of 27'2". This will be used to store lawncare equipment, motor home, boats, trailers and jet skis. The barn will be hidden from the lake view as it is located on the acreage along the driveway and not along the lake front. The replacement of the pole barn will improve the appearance and be more structurally sound. Mr. Tranquill stated the Mr. Webb lives on Sylvan Lake and does not have enough room on his lot to build a storage building for everything he needs to store. He noted Mr. Patton on Antler's Point built a similar size building a few years back and it looks good and enhances the surrounding properties. Member Clifton asked if there will be plumbing in the building. Mr. Tranquill stated no. Member Tatman asked if he wanted to install a bathroom. Mr. Tranquill stated not to his knowledge. President Morris asked if there will be a loft area or a divider for upstairs rooms. Mr. Tranquill stated no, the barn will be open span. Member Tatman asked if there will be a man door as the design only shows overhead doors. Mr. Tranquill stated it is for storage. There being no further questions President Morris called for interested parties. No interested parties were present, and Secretary Pranger informed the board all adjoining owners were notified and returned with no comments. President Morris called for a motion. Member Geurs made a motion to approve Variance #2024-13 as presented with the standard restrictions- no restroom, no living quarters, no business, no rental and no exterior stairwell. Second by Member Clifton. All in favor-aye. Motion Carried.

Variance #2024-14

Jerald and Amber Stieglitz, 350 Spring Beach Road, Rome City, IN is requesting variances from the Rome City Unified Development Code, Lake Residential District, Article 2.12 Lake Residential District Development Standards: Maximum accessory structure height of 16' up to 27' (first floor height will be 18'). Also, relief from 5.07 lake residential accessory structures standards, G. Design Requirements, 1. Basement/Lower Level stating no storage-based accessory structures or recreation-based accessory structures shall have a basement or lower level. To allow for the construction of a 38' x 24' garage with attic storage and a walkout basement for interior stair access to house/lake level.

President Morris called for the presentation of Variance #2024-14. Colin Eley, Michiana Builders, representing Stieglitz's, for the new garage. Mr. Eley informed the board that the Stieglitz would like to build a garage on the back of their lot by the road. The setback off, Spring Beach Rd will be the required 25' setback. Due to the topography of the lot, they will have to build into the hill and add a retaining wall. They would like the garage to be built on a basement so they will have extra storage for lake toys and be able to walk down interior stairs to exit the building at the basement level. To avoid walking down exterior stairs during inclement weather. The variance on the height of the building is due to the basement and the request for attic storage space to allow for head space to access the attic room and allow for more storage space. Mr. Eley stated the height from the road level will be 20'. Member Clifton asked if this would match any neighboring buildings on the height. Secretary Pranger stated the Morris garage is 22' and the Ley garage is 23'. Mr. Eley stated the garage will be stick built and will match the siding and roof of the Stieglitz home. Member Tatman asked about man doors on the road and basement levels. Mr. Eley stated there will be a man door on the road level and a set of French doors on the basement level for easier storage access. Member Tatman asked about the location of the stairway. Mr. Eley stated there will be interior stairs and they will use the existing exterior stairwell from the parking area. There being no further question President Morris Called for


interested parties on Variance #2024-14. No interested parties were present. Secretary Pranger informed the board notices were sent to the adjoining owners and 2 out of the 4 returned with no comments. President Morris called for a motion. Member Geurs made a motion to approve Variance #2024-14 as presented with the standard restrictions-no restroom, no living quarters, no rental, no business, and no exterior stairwell. Second by Member Clifton. All in favor-aye. Motion Carried.

MISCELLANEOUS BUSINESS

Short-term rentals: Secretary Pranger passed out a list of the current VBRO's and Air BnB's on the lake. She found 19 listed, three show they were listed after the cutoff date on the ordinance. She sent letters to them, one owner on Bernice Avenue contacted her to tell her it was a scam listing-they do not rent out the house, the owner on Lions Drive responded immediately and are applying for the required Special Exception, the third listing on Norine Drive have not contacted her back. She will proceed to the next step per the ordinance and report back to the board.

Next Meeting: August 15, 2024

There being no further business, Member Clifton made a motion to adjourn the meeting at 8:00 p.m. Second by Member Geurs. All in favor-aye. Motion Carried.



Kelly Morris, Chair BZA

Attest: 

Leigh A Pranger, Secretary