

**HANCOCK COUNTY AREA PLAN COMMISSION
111 AMERICAN LEGION PLACE
GREENFIELD, IN 46140**

PLAN COMMISSION MINUTES

DATE: January 27, 2026 TIME: 6:30 P.M.

PRESENT:

**MICHAEL LONG, PRESIDENT
DEREK TOWLE, VICE PRESIDENT
JANNINE GRAY
DEAN FOUT
WENDELL HESTER
BYRON HOLDEN
LACEY WILLARD
SCOTT WOOLDRIDGE
RHONDA COOK, ATTORNEY
KAYLA BROOKS, DIRECTOR
DAWN PARKER, RECORDING SEC.**

ABSENT:

**BYRON HOLDEN
RENEE OLDHAM, SECRETARY**

The January 27, 2026, meeting of the Hancock County Area Plan Commission was brought to order at 6:31 p.m. by President Michael Long. November meeting minutes tabled for lack of quorum of board members from November 18, 2025, meeting. Prior to making their presentations, the Commission's attorney Rhonda Cook duly swore in all persons appearing before the Hancock County Area Plan Commission.

Mr. Long welcomed a new member to the board Ms. Jeannine Gray.

Ms. Gray moved to adjourn. Mr. Wooldridge seconded, and the meeting was adjourned at 8:59 PM.

ATTEST:

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MICHAEL LONG, PRESIDENT

DEREK TOWLE, VICE PRESIDENT

**HANCOCK COUNTY AREA PLAN COMMISSION
111 AMERICAN LEGION PLACE, SUITE 146
GREENFIELD, IN 46140**

**PLAN COMMISSION MINUTES
Tuesday, January 27, 2026, TIME: 6:30 PM**

1. Election of Officers

Mr. Long opened the floor for nomination of officers. Mr. Wooldridge nominated Mr. Long for President. Ms. Willard seconded motion. Motion carried unanimously 7 ayes – 0 nays. Mr. Wooldridge nominated Mr. Towle for Vice President. Ms. Gray seconded motion. Motion carried unanimously 7 ayes – 0 nays. Ms. Gray nominated Ms. Oldham for Secretary. Mr. Wooldridge seconded motion. Motion carried unanimously 7 ayes – 0 nays.

2. Hancock County BOC, Residential, 336 S 300 W, Greenfield, Rezone #26-2651, 4-15-6, in Sugar Creek Township **Continued to February 24, 2026**, Rezone from R1.0 (Residential) zoning to IN (Institutional) for parks and recreation located at 336 S 300 W on 41.98 acres.

Staff Report Presentation:

Ms. Brooks stated that this petition needs to be continued for insufficient notice and will need to be resent to the surrounding landowners and re-noticed in newspaper. Mr. Wooldridge made motion to continue petition to February 24, 2026. Mr. Towle seconded motion. Motion carried with a vote of 7 ayes and 0 nays. Ms. Brooks handed out flyers for an informational session on 2/19/26 to be held in the Commissioner’s Court in the Courthouse Annex building located at 111 American Legion Place, Greenfield, IN 46140.

3. Hancock County PC, IL (Industrial Light) 204 N Main St., Maxwell, Rezone #26-2653, 5-16-7, in Center Township Rezoning of 2.25 acres zoned IL (Industrial Light) to R1.0 (Residential) for failure to comply with commitments from petition #24-2532 (Outback Storage) that was approved on 10/22/24 located at 204 N Main Street, Maxwell

[Staff Report](#)

Staff Report Presentation:

Ms. Brooks presented staff report for a rezone led by the Plan Commission for failure to comply with commitments from petition #24-2532 (Outback Storage) that was approved on 10/22/24 and expired one year later, and a timeline of events leading to this petition filing. She asked the board for a recommendation to the BOC of:

- Favorable recommendation to rezone to R1.0 (Residential)
- No recommendation
- Or Unfavorable recommendation to remain IL (Industrial Light) zoning

Recommendation may include commitments, such as those previously included:

- Development Plan Review required
- Prohibit inappropriate uses permitted in IL (anything except RV/Boat Storage-outdoor)

She said the staff recommendation from original rezone request from R1.0 (Residential) to IL (Industrial Light) was ***“Due to guidance from comprehensive plan and location near a school and a***

village (Maxwell), along with many inappropriate uses permitted in the IL zone, staff recommendation is unfavorable.” Boat & RV Storage (outdoor) is only permitted in the Industrial zoning districts (Permitted in IBP, Special Exception in IL & IG). She asked that if zoning reverts to R1.0:

- Revoke BZA Special Exception at public hearing.
- Ensure only permitted uses are taking place on site

If zoning remains IL:

- Continue with review of permit application
- Ensure compliance with BZA Special Exception

Previous Conditions were as follows:

- An 8-foot privacy fence must be installed around the perimeter of the site in conformance with the applicable chapters of the Hancock County Zoning Ordinance.
- The only use that is permitted is Boat/RV Storage (outdoor). As listed in Chapter 156.021 of the Hancock County Land Use matrix, Boat/RV Storage (outdoor) requires Special Exception approval from the Board of Zoning Appeals (see matrix). If a Certificate of Occupancy has not been issued by October 22, 2025, the property’s zoning shall revert to R1.0.
- Development Plan Review is required in conformance with Chapter 156.107. Development Plan must be approved to the satisfaction of the reviewing body and shall include details of language to be included in rental agreements, times of operation and access to the property by customers and others, environmental protections as deemed necessary by the reviewing body or Plan Commission staff, in addition to the typically required Development Plan components.

*The Land Use Matrix can be found in the staff report link at the beginning of this petition.

Petitioner Presentation:

Mr. Jon Smith, Outback Storage was present and asked the board for a non-favorable vote. He said he received an 8-0 approval from the plan commission previously, has had several delays, home has been renovated nicely, and a tenant takes care of the home, there were no remonstrance to the project, all surrounding business owners approve the project, he loves the area, has bought post office and other properties and has improved the area. He said delays are due to civil engineering that took 3-4 months to figure out, INDOT review, and driveway took time, Ninestar approved septic and then asked for a commercial, so connected to sewer, added a lift station, and now has a commercial septic. Mr. Smith said all these delays contributed to the missed deadline. He stated he turned in the permit application on September 18, 2025, and asks the board not to have to go through another development review plan. Ms. Willard asked if there were any other deadlines Mr. Smith is worried about. He said he has no control over when ILP is issued but asked if the 9/18/25 date could be used? He said the house will stay residential and use is for Boat/RV Storage only. Mr. Long asked if it is typical to do that much work before the ILP is issued? Mr. Smith said No, he was trying to get a lot done but when received the letter from the Planning Department to stop work they did.

Public Comments & Remonstrations: None

Rebuttal from Petitioner: None

Board Discussion:

Mr. Towle asked why deadline was missed? Ms. Brooks read timeline that permit was applied for September 18, 2025, drainage was not approved until October 28, 2025, by the County Surveyor, came

to her desk on November 12, 2025, and she notified petitioner of missed deadline. Ms. Brooks explained the process of obtaining a certificate of occupancy to the board. A permit is applied for, reviewed by all offices, issued, then all inspections are completed, and then a certificate of occupancy is given. Ms. Brooks also answered that there were a few months that was spent in Technical Review. Mr. Towle commented that it seems that there were delays that may not have been the petitioner's fault and timeline seems very short. Ms. Willard asked if there were anything that should have been done during the long gap in the timeline? Ms. Brooks answered there was a period that there was no action happening and is a concerning gap. Ms. Cook said there has clearly been site development without a permit and asked that the board take that into consideration. Ms. Brooks said that her staff is monitoring the site and has stayed any violations until this matter is settled and presented new photos of the site. She said depending on what happens at this hearing would determine the next steps in any violations for the site. Ms. Willard asked if the zoning reverts to R1.0 what changes would be required. Ms. Brooks answered that the fence would need to be cut down to 6' instead of the current 8'. Mr. Long commented that he is not sure a certificate of occupancy has been issued. Ms. Brooks explained that with the ILP/Building permit (that has not been approved because of the missed deadline), once approved the permit would require inspections from the building and planning departments. Once all inspections are completed is when the certificate of occupancy is granted. So, permit granted and then certificate of occupancy. Mr. Wooldridge asked if there is snow on the ground, what then? Ms. Brooks answered they are given a temporary certificate of occupancy and inspection will be done in the Spring for the final certificate of occupancy. Mr. Long asked for the certification letter from the original petition to verify wording. Ms. Cook read from the certification letter on her computer the conditions of approval. Mr. Wooldridge made a motion to table until letter is found. Ms. Willard seconded motion at 7:06 p.m. Ms. Willard Motion to reconvene item #3 at 7:43 pm, Mr. Hester seconded motion. Motion carried with 7 ayes 0 nays. Petitioner Presentation was heard at that time. There was much discussion amongst the board regarding the ILP approval vs certificate of occupancy wording in certification letter. Ms. Willard suggested striking the certificate of occupancy wording in the certification letter and replace it with ILP approval.

Motion:

Ms. Willard made a motion for an unfavorable recommendation to revert to R1.0 (Residential) but remain IL (Industrial Light) with the following conditions:

- An 8-foot privacy fence must be installed around the perimeter of the site in conformance with the applicable chapters of the Hancock County Zoning Ordinance.
- The only use that is permitted is Boat/RV Storage (outdoor). As listed in Chapter 156.021 of the Hancock Conty Land Use Matrix, Boat/RV Storage (outdoor) requires Special Exception approval from the Board of Zoning Appeals. ILP approval to be obtained within six (6) months
- Development Plan Review is required in conformance with Chapter 156.107. Development Plan must be approved to the satisfaction of the reviewing body and shall include details of language to be included in rental agreements, times of operation and access to the property by customers and others, environmental protections as deemed necessary by the reviewing body or Plan Commission staff, in addition to the typically required Development Plan components.
- Fees/fines stayed during the pendency of the rezone petition.

Mr. Wooldridge seconded motion. Motion carried with a vote of 7 ayes and 0 nays for an unfavorable recommendation to revert to R1.0 (Residential). Zoning will remain IL (Industrial Light)

4. Harmon, Leisa & Bills, Tracy/Accura Land Surveying, Residential, Approximate address 8000 N 300 W, Fortville, Maj Sub/Primary Plat & 3:1 Exception #26-2650, 20-17-6, in Vernon Township

Three (3) lot Major Subdivision/Primary Plat with 3:1 exception located at approximately 8000 N 300 W on 9.462 acres zoned R1.0 (Residential)

[Primary Plat](#)

[Secondary Plat](#)

[Staff Report](#)

Staff Report Presentation:

Ms. Brooks presented petition and said site is across from Fortville Town limits, that the maximum number of splits have been met so this Plat is a major subdivision/primary plat petition for that reason. 70' R/W has been dedicated on State Road 234 and County Road 300 West. She said the Surveyor, Philip Going with Accura Express Land Surveying has reached out to DNR about cemetery and will be noted on plat, driveways have been limited to 2 after working with Highway Engineer, will include a shared driveway agreement, access easement and said all Tech Committee Comments have been approved/addressed. All tiles on the property have been located per County Surveyors comments. Secondary plat will come after this plat is approved and be approved thru Tech Committee and in office (Plan) approval. Ms. Brooks said this plat meets all standards but does require a 3:1 depth to width exception being 3x longer than wide for lots 2 & 3. Staff recommendation is favorable with one condition. "Add access easement and shared driveway maintenance agreement for shared drive between lot 2 and 3 on secondary plat".

Petitioner Presentation:

Mr. Phil Going, Accura Express Land Surveying was present for petitioners Leisa Harmon & Tracy Bills and asked the board for approval of 3 lot major subdivision/primary plat & 3:1 Depth to Width Exception for lots 2 & 3. He said the plat includes R/W dedication of 70' for future widening of the roads SR 234 and 300 West for a total of 1.39 acres, zoning is R1.0 (Residential) in support of this development. He said the layout is the best he could come up with while maintaining the require 125' road frontage, extended west for better/higher land, and found tile that extends beyond easement and new tile easement cleans that up. Basically, creating new easement to cover and protect the existing tile and 2 minor subdivisions to the West. He said the old 8" tile will come out and will be replaced by 10" tile and asked for approval of plat by board.

Public Comments & Remonstrations:

Ms. Karen Klein owns Tracy Bills Plantation and home for 16 years, located at 8112 N 300 W. She has been maintaining land and well and feels those are in question because of stakes that have been placed by surveyor. She said the well may or may not be on her land but feels like the land should be hers because she has maintained it for 16 years now. Mr. Towle asked what she wants or doesn't want? Do you want to purchase property. She said she has not been offered opportunity to buy land. She stated she was not aware land was not hers until she saw the survey stakes. Mr. Towle asked that since the zoning is R1.0 (Residential) do you expect home to be built? She answered yes but wants to make sure her property is maintained and her well and power are on her land. Mr. Towle stated that what is before the board is the Primary Plat and if we should give a favorable recommendation to the BOC. Ms. Klein asked what would her recourse be if her well is not on her property? Mr. Towle suggested Ms. Klein speak with an attorney and cannot give any recommendation for that. But if you are in opposition to this plat what is your complaint about this petition? Ms. Klein answered they can build, but with a caring and loving neighbor while making sure that her property is maintained that she bought. Mr. Long stated the main concern is the functional component of your well and power. Ms.

Klein answered power line is on that side of house and well and is assuming Ninestar put it in correctly. Mr. Long said that what Ms. Klein is talking about is not zoning issues and would encourage Ms. Klein to speak with a land use attorney maybe or even talk to Mr. Going about easements as part of the plat or something because none of this got picked up in Tech and normally it would have. He said talk to Mr. Going about where the well and power really are in relation to the plat lines/lot lines and maybe work out easements with the current owner?

Mr. Paul Bills stated he grew up out there and is concerned about the stuff that is buried in the back out there from Indy Foundry in Indianapolis and may want to take samples of land in back as cast iron was buried. His dad had a low spot and brought stuff back from the foundry and filled it in with cast iron renderings.

Rebuttal from Petitioner:

Mr. Phil Going stated the issue Ms. Klein is talking about that she has been mowing belongs to his client (about 40-50 feet). The stakes were set by another surveyor, but he shot the pins and agree with those stakes and lot lines based on the deed descriptions. There is no deed overlap or discrepancy. He walked the whole property and did not see any evidence of a well, found tile that probably crosses onto her property. But would offer her, on her behalf, to call 811 to locate and survey for the utilities. And if they are on the property provide easements to protect those and if well is obvious can take gps shots on that and verify its location and see if it affects the plat but didn't see anything of that nature that caused him any concern while he was there.

Board Discussion:

Ms. Willard asked if Mr. Going has spoken to Fortville? He said he has not but looked at distance to Fortville water & sewer and is too far away and would be expensive to connect when property is not annexed into Fortville. Mr. Wooldridge asked if these would be custom homes? Mr. Going answered he would assume so, yes. Ms. Willard asked if there were any design standards for the custom homes other than what the County requires? Mr. Going does not know who will build the homes as his client is just wanted to sell the lots. Ms. Willard asked if Mr. Going would be opposed to staff recommendation for conditions regarding access easement or a condition to further explore adjacent property and well through a survey, possible easements and further adjustments? Mr. Going stated he has no objections.

Motion:

Ms. Willard made a motion for approval of primary plat with staff condition "Add access easement and shared driveway maintenance agreement for shared drive between lot 2 and 3 on secondary plat", and that applicant will work through adjacent property power and well locations through survey and if needed through easements and reasonable adjustments approved by the Planning Director. Ms. Gray seconded motion. Motion approved with a vote of 7 ayes and 0 nays.

Ms. Willard made a motion for approval of the 3:1 Depth to Width Exception ensuring that the conditions of the primary plat approval are met. Ms. Gray seconded motion. Motion approved with a vote of 7 ayes and 0 nays.

OTHER BUSINESS:

1. Fee Schedule Review & Revise:

Ms. Brooks presented expense tracking information that reflected the Planning office is costing the County \$12,000 per month and looking at increasing fees to cover those costs. Since raising fees in

2024 the Planning Department is costing the County \$2,800 less in 2025. Mr. Wooldridge asked Ms. Brooks to share that information with the County Council. Mr. Long asked if the Planning Department would be collecting Parks & Rec Impact Fee? Ms. Brooks answered that the Planning Department will begin collecting \$412 for Parks & Rec Impact Fees beginning on February 6, 2026, for every new home permit, it will then go into a fund for Parks & Rec to use for Parks and recreation. Mr. Wooldridge asked the attorney Ms. Cook if the current legislation will affect the collecting of this fee? Ms. Cook answered that at this time the legislation is not affecting this type of fee collection. Ms. Henriquez went over the current fee schedule and the proposed increases and additions to the fee schedule, explained the process to take in petitions and the time spent on research, staff reports, public hearing, post meeting processing of minutes, commitments, and certifications. Mr. Wooldridge asked if this covers staff pay, attorney etc. and are we at a net 0? Ms. Brooks answered no. Ms. Henriquez stated that fees are comparable to the surrounding counties. Ms. Willard stated that the increase in additional variances is a good idea because there are times that several variances are requested. Ms. Willard asked about additional fee for Continuance request by petitioner? And maybe running fines for building without a permit and continuing fines if work continues with a charge per day? Mr. Long asked if there is a fee for the yard sign? Ms. Henriquez answered no. Mr. Long suggested working with someone on the County Council. There was much discussion amongst the board regarding different fees, fines, and being responsible with the increases and taxpayers' money as well. Ms. Cook stated the Building Department fees are handled by the BOC annually by resolution and the Planning Department says Plan Commission may establish fees and Plan Director shall review annually and bring to the Plan Commission and BOC. Plan Commission makes recommendation to BOC with an ordinance.

2. UDO Update:

Ms. Brooks presented Request for Proposals for UDO "Light" Reformatting and Adoption Support and asked Mr. Long to give overview. Mr. Long gave overview of past UDO process and new formatting review and submission to BOC and current Request for Proposals for UDO "Light" Reformatting and Adoption Support. This new process will give us list of hot items to look at and give list of next issues that need to be addressed. The Draft RFP will be distributed to consulting firm to look at and will possibly cost \$20,000-\$30,000. Ms. Willard asked if the process for approval is included in the cost? Ms. Brooks answered Yes. Mr. Long asked Ms. Brooks to send the RFP out and copy the Plan Commission members and Gary McDaniel.

3. Shirley Interlocal Agreement draft revisions update:

Still being talked through between the Town Attorney, Plan Commission Attorney and Town Clerk

4. Legal Service Agreement:

Ms. Brooks presented the Legal Service Agreement to the Plan Commission for review with fees of \$250/hr. Ms. Gray made motion to forward favorable recommendation to the BOC. Mr. Wooldridge seconded motion. Motion carried 7 ayes 0 nays.

5. Conflict of Interest Form:

To be completed by all PC Members and returned to the recording secretary.