

ORDINANCE NO. 2025-7A
(as amended)

**AN ORDINANCE AMENDING TITLE 15, CHAPTER 155 OF
THE CODE OF ORDINANCES OF HANCOCK COUNTY, INDIANA
REGARDING TECHNIAL COMMITTEE AND PLAT COMMITTEE PROCEDURES**

WHEREAS, it is the role of the Hancock County (the “County”) Area Plan Commission (“Plan Commission”) to make recommendations to the Hancock County Board of Commissioners (“Commissioners”) regarding amendments to the Hancock County zoning ordinance (the “Code”); and

WHEREAS, the Plan Commission determined there is a need to revise the procedures for the Technical Committee and Plat Committee; and

WHEREAS, the Plan Commission, after conducting a duly advertised and publicly noticed hearing on April 22, 2025, has recommended to the Commissioners that §155.021 (Review Procedure of Technical Committee) be amended to revise the current procedures to include review of whether an application for a minor subdivision circumvents the requirements of a major subdivision; that §155.023 (Plat Committee Procedure) be amended to revise the procedures to clarify when an application should be forwarded to the Plan Commission and whether a hearing on an application should be required before or after Plat Committee approval.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of Hancock County, Indiana, as follows:

SECTION I

Title 15, Chapter 155.021 (A)(6) shall be added as a new subsection to read as follows:

(A)(6) The subdivision is not planned in conjunction with an adjacent minor subdivision that either already exists or that is proposed, so as to have the effect of circumventing the requirements and approvals for a major subdivision.

SECTION II

Title 15, Chapter 155.023, Plat Committee Procedure, shall be amended and restated as follows:

- (A) Following review of a minor plat by the Technical Committee and Drainage Board, the Planning Director shall make a determination as to whether the application is complete and may should be referred to either the Plat Committee or the Plan Commission for review and action.**
- (B) Upon a finding made by the Planning Director that the minor plat does not involve opening a new public way and that it complies in all other respects with this chapter and the Zoning Chapter, the application may be considered by the Plat Committee ~~may grant primary approval~~ without public notice and hearing and the Plat Committee may grant primary approval. Within ten days after primary approval by the Plat Committee, the Plan Commission staff shall require the applicant to serve due notice to interested parties of their right to appeal under I.C. 36-7-4-708. The notice shall be given in accordance with I.C. 36-7-4-706. ~~Upon expiration of the appeals period~~**

provided for under I.C. 36-7-4-708, the Chairman of the Plat Committee and Plan Director shall sign a certificate granting secondary approval of the minor plat.

(C) Upon a finding made by the Planning Director that the minor plat:

- (1) Involves opening a new public way;
- (2) Does not comply in all other respects with this chapter and the Zoning Chapter; or
- (3) Is of such nature, complexity or of public interest that it should be subject to an initial public hearing before the Plat Committee;

the Plan Commission staff shall require the applicant to provide notice, in accordance with IC 5-3-1, of a public hearing to be held by the Plat Committee and provide due notice to interested parties at least ten (10) days before the date set for the public hearing.

(D) Upon expiration of the appeals period provided under IC 36-7-4-706 for applications considered under (B) or approval by the Plat Committee for applications considered under (C), the Chairman of the Plat Committee and Plan Director shall sign a certificate granting secondary approval of the minor plat. The certificate shall be made a part of the tracing cloth or reproducible mylar of the plat. The applicant shall record the plat with the County Recorder within 12 months. If not recorded within this time, the approval shall be null and void unless renewed.

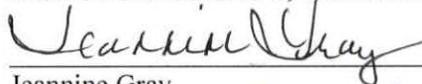
(E) The applicant or other interested party may appeal any decision of the Plat Committee to the Plan Commission in accordance with I.C. 36-7-4-708.

SECTION III

This Ordinance shall be in full force and effect from and after its passage and publication as prescribed by law.

Introduced and amended on July 1, 2025. Adopted this 29th day of July, 2025.

**BOARD OF COMMISSIONERS
HANCOCK COUNTY, INDIANA**



Jeannine Gray



Gary McDaniel



Bill Spalding

Attest:



Debra Carnes, Hancock County Auditor

MOTION TO AMEND #2

PROPOSED FOR:

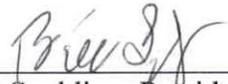
**AN ORDINANCE AMENDING TITLE 15, CHAPTERS 155 AND 156 OF
THE CODE OF ORDINANCES OF HANCOCK COUNTY, INDIANA
REGARDING TECHNIAL COMMITTEE AND PLAT COMMITTEE PROCEDURES
AND ACCESSORY STRUCTURES**

I move that the above referenced proposed ordinance be amended as follows:

1. Strike the last sentence in the third WHEREAS clause as follows:

WHEREAS, the Plan Commission, after conducting a duly advertised and publicly noticed hearing on April 22, 2025, has recommended to the Commissioners that §155.021 (Review Procedure of Technical Committee) be amended to revise the current procedures to include review of whether an application for a minor subdivision circumvents the requirements of a major subdivision; that §155.023 (Plat Committee Procedure) be amended to revise the procedures to clarify when an application should be forwarded to the Plan Commission and whether a hearing on an application should be required before or after Plat Committee approval; ~~and that §§156.022 through 156.037 regarding zoning districts as well as §156.062 (Accessory Use and Structure Standards) be amended with changes related to the conditions under which accessory structures may be located in front yards.~~

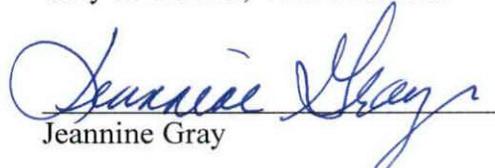
2. Delete SECTION III through SECTION XIX.



Bill Spalding, President



Gary McDaniel, Vice President



Jeannine Gray

WRITTEN STATEMENT RE: AMENDMENT TO ORDINANCE 2025-7A

To: The Hancock County Area Plan Commission (“Plan Commission”)
From: The Hancock County Board of Commissioners (“Board”)
Date: July 29, 2025
Subj: Amendment to Ordinance 2025-7A

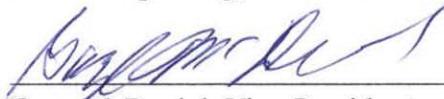
As of May 5, 2025, the Board is in receipt of the Plan Commission’s favorable recommendation for the proposed ordinance to amend zoning text which is now known as Ordinance 2025-7A (the “Ordinance”). The Board considered said Ordinance at its May 20, 2025 meeting, its July 1, 2025 meeting (where it was introduced and amended) and at its July 29, 2025 meeting (where it was adopted as amended).

Indiana Code 36-7-4-607(e) requires the Board to provide the Plan Commission with a written statement of our reasoning for amending the Ordinance. The amendment adopted removed the language that provided exceptions to county standards for accessory structures located in front yards. The Board’s reasoning for the amendment is that the Board desires for this subject matter to be addressed in a more comprehensive way through the Unified Development Ordinance, which is currently being prepared, in lieu of revising the county’s current standards on accessory structures at the present time.

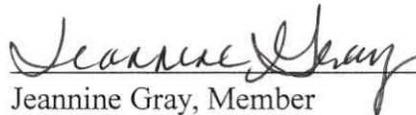
BOARD OF COMMISSIONERS
OF HANCOCK COUNTY, INDIANA



William Spalding, President



Gary McDaniel, Vice-President



Jeannine Gray, Member

Attest:



Debra Carnes, Auditor