

April 27, 2023
Regular Meeting of the
Marshall County Plan Commission
112 W. Jefferson St. Room 203
Plymouth, IN 46563

MINUTES

Vice - President, Matt Miller, called the Marshall County Plan Commission meeting to order at 7:30 p.m. on Thursday, April 27, 2023, in Room 203 of the Marshall County Building. Present were Commission Members Craig Cultice, Deborah Johnson, Christopher Kline, Kevin Overmyer, Terri Barnhart, and Michelle Mieras. Plan Director Ty Adley, and Lori Lowry Administrative Assistant were present along with interested parties. Member absent was David Hostetler.

Minutes of the March 23, 2023, meeting was presented. Mr. Overmyer moved, and Mr. Cultice seconded the motion to approve the minutes as submitted. The motion passed by acclamation.

Miller Certificate of Appointment

Mr. Adley read the Certificate of Appointment of Mr. Miller to the Marshall County Planning Commission and he affirmed his duties.

The first item of business was 23-PC-10 WILMA, David & Janice - A request for a one lot minor subdivision by David Wilma; located at: 12095 Queen Rd. Plymouth, IN West Twsp., Zoned L-1. Mr. Robert Aloï of Territorial Engineering was present to represent his request. Mr. Adley presented the findings of fact.

The applicant owns 46.66 acres of Lake Residential zoned property that is predominantly used for agriculture. They are seeking to create a 1 acre lot surrounding the home and adjoining buildings to separate it from the tilled ground that surrounds it on Queen Road.

Mrs. Barnhart moved to open for public hearing, seconded by Ms. Mieras. Motion carried by acclamation. There being nobody to speak for or against Mrs. Barnhart moved to close the public hearing, seconded by Mr. Kline. Motion carried by acclamation.

Mr. Kline made a motion to approve 23-PC-10 WILMA, David & Janice - A request for a one lot minor subdivision by David Wilma; located at: 12095 Queen Rd. Plymouth, IN West Twsp., Zoned L-1 seconded by Mrs. Johnson and to forward to the Marshall County Commissioners with a favorable recommendation.

The second item of business was 23-PC-11 DAVIS, Ronald - A request by Thomas Landgrebe for a PUD of 30-60 shipping container homes; located at: 3919 Michigan Rd. Plymouth, IN Zoned A-3 was tabled by the request of Mr. Landgrebe.

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The third item of business was 23-PC-12 MARSHALL COUNTY PLAN COMMISSION - A request to amend the Marshall County Permit Fee Ordinance.

The fee schedule for the Plan Commission has been amended over time on different occasions as costs of risen, or a separation of type was warranted. Fees were discussed in the 1994 ordinance under the Zoning Ordinance having a minor breakdown of the different type and associated fees. In 2006 fees for Board of Zoning Appeals cases and Planning Commission cases were outlined between \$50 and \$100. In 2010 the fee schedule was created to list all building permits, BZA and PC cases. In 2012 permit fees were consolidated to make them all inclusive of the total inspections, so you would only pull one permit rather than multiple. In 2015 the larger permit categories such as conventional homes, accessory structures and commercial buildings were broken into square foot categories. In 2017 solar permit fees were added, but were amended in 2019 to account for solar farms. The proposal for this long-standing amendment is to bring the fees into association with the time and cover the cost of administration and inspection. Many of the fees have remained relatively unchanged for just over a decade. The proposal comes with multiple options for the board including full costs in increments of \$10 and \$25 and a mixture of cost coverage. An option that has not been tabulated would be to include the largest scale structures being at a per square foot cost similar to that of Culver. The cost would be set at the same scale as the level prior per square foot. These fees are already accrued in time, but the benefit in amendment would be the support to staff and reduction in permit wait times. The goal of the department is not to over-generate funding, but to have the project owner cover the cost rather than members of the general public pay for improvements through taxes.

Mr. Adley presented the proposed fees along with a few items with an (*) Residential Homes >4,000 sq ft and Commercial Buildings >10,000 sq ft that is proposed at a per square foot cost.

A price comparison spreadsheet of three permits was done in six surrounding counties. They ranged from set fees to charging per square foot.

Mrs. Johnson asked if a handicap ramp's permit fee could be waived. Mr. Adley replied that he does not have that authorization to waive fees. It would be up to the Planning Commission to make that decision.

Mrs. Barnhart made a motion to open for public hearing, seconded by Mrs. Johnson. Motion carried by acclamation. There being nobody to speak for or against Mrs. Johnson moved to close, seconded by Mrs. Barnhart. Motion carried by acclamation.

The Planning Commission's thoughts on implementation was the following:

1. All the fees starting July 1 or beginning of third quarter, or January 1st, 2024.
2. Splitting the proposal from the Planning & BZA changes to July 1st and permit fees to start January 1st, 2024.

Mr. Overmyer made a recommendation that the Planning Commission bring in the Plan Commission and Board of Zoning Appeals fees to the Commissioners for a public hearing first and get that active by July 1st and bring the permit fees back to the planning commission late summer or fall to be effective January 1, 2024.

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When asked what options the commissioner's have as far as approval or modification Mr. Overmyer stated they could approve or modify it. If they choose to modify it would be sent back to the planning commission with a modification request. Mr. Overmyer stated that he personally feels a modification wouldn't be necessary as this update has been needed for a long time.

Mr. Overmyer moved to approve 23-PC-12 MARSHALL COUNTY PLAN COMMISSION - A request to amend the Marshall County Permit Fee Ordinance and forward to the Marshall County Commissioner's with a favorable recommendation the Planning Commission and Board of Zoning Appeals fees to consider becoming active July 1, 2023, and the permit fees to be revisited at a later date, seconded by Mrs. Barnhart. Motion carried with a voice vote 7-0.

There being no further business, a motion was made to adjourn and seconded. The motion was passed by a voice vote.

Respectfully submitted.

Craig Cultice,
Secretary