

TOWN OF HEBRON
PLAN COMMISSION MINUTES
P.O. Box 478
Hebron, Indiana 46341
(219) 996.4641 Fax: (219) 996.7494

TOWN OF HEBRON PLAN COMMISSION MINUTES
August 8, 2023

PLEDGE OF ALLEGIANCE

MEMBERS PRESENT: Mike Wallace Josh Noel Justin Albright
John Spinks, Jr. Shane Spagnola Josh Carter

ABSENT: **Merlin Foresman**

OTHERS PRESENT: Brett R. Galvan, Attorney *via Zoom* Sarah C. Bushell, Recording Secretary

CALL TO ORDER:

Mike Wallace called the meeting to order at 7:00 p.m.; stated first item is approval of the August 8th Agenda as presented;

John Spinks, Jr. made a motion to approve the August 8th agenda as presented; Joshua Noel seconded the motion.

Motion to approve the August 8th agenda as presented carries **6-0**.

Mike Wallace asked for a motion to approve the minutes as presented; Justin Albright made a motion to approve the minutes as presented; Joshua Noel seconded the motion.

Motion to approve the July 11th minutes as presented carries **6-0**.

Mike Wallace opens public hearing for **Ordinance No. 2023-08-08** amending **Section 2-2-11-2** "Fees."
[Ordinance No. 2023-08-08 was read in its entirety and attached hereto and incorporated as Ordinance No. 2023-0808 Amending Article 2, Chapter 11 of the Hebron Municipal Code by Amending Section 2-2-11-2 Fees]

John Spinks, Jr. asks for permission [**granted**] to further discuss the Section 2-2-11-2 changes in that this commission is making a *recommendation* if they were to vote on this and that it's **not enacting** it and that is why there is "council language"; the change is on page two, under *Planning Commission*; originally just having a development fee of \$1000; we did not have an engineering review fee, so we will be added to the plan development review with \$1000 and three engineering bids with the lowest responsible bid will be applied; so what's going to happen here is that when a Commercial property comes in or even a residential property, you know they want to do a development, then we will seek an engineering firm hired by the town since we do not have outside; they will take a look at the plans, they will review, and they will bid; and the lowest responsible bid will be applied.

[discussion held on other changes in ordinance- Joanne Hansen- advises that there are a number of changes in that ordinance that have changed from the ordinances in the code book that past at various meetings, fee increases that were not done by ordinance and this merely is bringing you up to speed with all of that plus the amendment. Joshua Noel asks for clarification on the ordinance that is being review if it is for the commercial licensing fee, John Spinks, Jr. stated that it is for the residential, commercial plan development review fee.]

Mike Wallace asks for comments from the public; Sharon McKay inquired about the review fees and taking the cheapest one which is sometimes not the best one and you should say you're evaluating all the bids; John Spink, Jr. clarified that they would be taking the "lowest responsible bid"; Justin Albright adds that we want to make sure that evaluate them not just based off of price would be included in those bids; that they are comparable to surrounding counties/areas; affirming that the Planning Commission is just making a "favorable recommendation" to the Town Council; asks if there is anything from

the Commission; closes public hearing; opening second public hearing on **Ordinance 2023-08-08-01** (revision of Ordinance Section 2-2-13-11, figure 10 - **improvement location permit fees**) Schedule Planning Commission is building fees for new construction and former residents construction improvements to their property.

[Ordinance is read in its entirety and attached hereto and incorporated as Ordinance No. 2023-08-01 (Revision of Ordinance Section 2-2-13-11, Figure 10) and is a part of the August 8, 2023, Minutes;]

This is for new construction homes and our HVAC plumbing, as we found that our prices were low going forward with the new subdivision and found that we need to bring them up as stated before we shopped around other communities, seeing what theirs are, how they affect those things; then made our own and that is what this is.

Mike Wallace asks for any questions from the community; any questions for the council? With no other questions/comments closes public hearing on Ordinance 202-08-08-01; and opens public hearing on **Ordinance 2023-08-08-2** Amending the Comprehensive Sign Ordinance, **Chapter 10, Section 2-2-10-17 Permits Fees**.

[Ordinance is read in its entirety and attached hereto and incorporated as Ordinance No. 2023-08-02 (An Ordinance Amending the Comprehensive Sign Ordinance, Chapter 10, Section 2-2-10-17, Permit Fees) and is a part of the August 8, 2023, Minutes;]

Mike Wallace gives an explanation going into the new submission that we are a little low on our signage permit fees, so we have changed that to reflect other communities and surrounding areas as to what they are bringing in for signs.

Mike Wallace asks if there is anything from the community; anything from the council?

An *unnamed person* asks how much the prices will increase; Mike Wallace replies that he cannot tell how much it will increase but can say that a 6” x 31” is \$0.25 a square foot; Brad is asked if he can tell the difference in how they increased the fees; Brad replies the increase is \$300 for a permanent marquis sign (ground sign) and \$100 for permanent wall sign; and that is lower than most Porter County fees are.

Mike Wallace asks for any questions from the community; any questions for the council? With no other questions/comments closes public hearing on **Ordinance 202-08-08-02**; Brad comments that the last ordinance commercial fees on page three; Mike Wallace re-opens public hearing to answer question from Brad; Brad comments that new construction permit base fee; Mike Wallace states his question was addressed with the previous hearing, closes public hearing;

Report of Officers and Committees: Brad replies that fourteen new permits for July, seven new contractor licenses and five violations were all five corrected before July.

Mike Wallace asks anything from counsel; attorney Galvan responds he has nothing else.

Old Business: *[amending ordinances that will affect Taco Bell project]* Mike Wallace explains that before Taco Bell there was an old ordinance that we just revisited, and the fee was a bit lower; that has been billed to the client Taco Bell and we basically had to change the ordinance so that brings that fee up and we use it to better align ourselves with how we get the plan approved by our third party. Mike Wallace asks if there is any comments?

New Business: John Spinks, Jr. replies that we have to approve these ordinances and we have to approve Taco Bell to begin construction. Mike Wallace responds that he will be referring to the ordinance by number instead of reading them fully and asks for a motion for a favorable recommendation to the Town Council on **Ordinance No. 2023-08-08**.

Justin Albright makes a favorable recommendation to the Town Council to amend **Ordinance No. 2023-08-08, Article 2, Chapter 11 Section 2-2-11-2 of the Hebron Municipal Code “Fees”**; Shane Spagnola seconds; Motion for favorable recommendation to the Town Council to amend Article 2, Chapter 11 Section 2-2-11-2 of the Hebron Municipal Code “Fees carries **6-0**.

Mike Wallace as for a motion for a favorable recommendation to the Town Council on **Ordinance No. 2023-08-08-1, Revision of Ordinance Section 2-2-13-11, Figure 10**.

John Spinks, Jr. makes a favorable recommendation to the Town Council to Revise Ordinance Section 2-2-13-11, Figure 10 - the Schedule of Plan Commission Building Fees to be collected by the Town for New Construction and from Residents Constructing Improvements to their property; Justin Albright seconds; Motion for favorable recommendation to the Town Council carries **6-0**.

Mike Wallace as for a motion for a favorable recommendation to the Town Council on **Ordinance No. 2023-08-08-2, Amending the Comprehensive Sign Ordinance, Chapter 10, Section 2-2-10-17, Permit Fees.**

Justin Albright makes a favorable recommendation to the Town Council to amend Ordinance No. 2023-08-08-2 Comprehensive Sign Ordinance, Chapter 10, Section 2-2-10-17, Permit Fees; Shane Spagnola seconds; Motion for favorable recommendation to the Town Council carries **6-0**.

Mike Wallace asks for a motion to approve the Taco Bell plan and for a favorable recommendation to council; John Spinks, Jr. asks Brad if all the paperwork has been filed; Brad responds everything is in the file needed; recommends we go; has recommendation letter from TAC; HWC engineer has reviewed/approved it, having all the letters;

John Spinks, Jr. makes a motion that we approve the Taco Bell Plan to be to be approved and to move forward to the town Council for favorable recommendation; Justin Albright seconds; motion on Taco Bell Plan approval and favorable recommendation to Town Council Carrier **6-0**.

Mike Wallace asks if there is anything else from the community;


That there being nothing further from the community, or Commission, Mike Wallace asks for a motion to adjourn.

John Spinks, Jr. made a motion to adjourn. Justin Albright seconded. All approved. Motion to adjourn carries **6-0**.

There being no further business before the Plan Commission meeting adjourned at **7:26 p.m.**

Thank you for attending. Please don't forget to sign in on the sheet in the back.

[sign-in sheet attached hereto and incorporated herewith August 8, 2023, Minutes.]



Mike Wallace, President



Sarah C. Bushell, Recording Secretary

Sign IN

August 8, 2023 Public Hrg

PASTOR FRANK MCCHURCH

Amyelle Besler

COLIN SNAPE

Karen Surane

Liz McGuire

Jude Wade

Vivian Kelby

Sharon McKay

CHERYL HOFFERTH

GARY HOFFERTH

Ordinance No. 2023-08-08; No: 2023-08-08-1; 2023-08-08-2

ORDINANCE NO. 2023-08-08

TOWN OF HEBRON, PORTER COUNTY, INDIANA

**AN ORDINANCE AMENDING ARTICLE 2,
CHAPTER 11 OF THE HEBRON MUNICIPAL
CODE BY AMENDING SECTION 2-2-11-2, FEES**

WHEREAS, The Hebron Town Council has enacted the Hebron Municipal Code which contains Article 2, Chapter 11, Section 2-2-11-2, setting out fees; and

WHEREAS, the Hebron Town Council desires to amend Article 2, Chapter 11, Section 2-2-11-2 Fees; and

WHEREAS, the Town Council of the Town of Hebron, Porter County, Indiana, has been advised that corrections and changes need to be made to the Schedule of Fees; and

WHEREAS, the Plan Commission of the Town of Hebron, Porter County, Indiana, held a public hearing on the 8th day of August, 2023, pursuant to Published Notice as required by applicable law, to consider the advisability of amending Article 2, Chapter 11, Section 2-2-11-2 of the Town Code regarding changes and/or revisions to the Town's Schedule of Fees and, at the conclusion of said Public Hearing certified a FAVORABLE RECOMMENDATION to the Town Council, as Legislative Body of the Town of Hebron, Indiana; and

WHEREAS, the Town Council of the Town of Hebron, Porter County, Indiana, having reviewed said FAVORABLE RECOMMENDATION has determined that it is appropriate, advisable and in the best interests of the residents of the Town to amend Article 2, Chapter 11, Section 2-2-11-2 of the Hebron Municipal Code pertaining to Schedule of Fee of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HEBRON, PORTER COUNTY, INDIANA, AS FOLLOWS:

Section One: That Article 2, Chapter 11, Section 2-2-11-2 of the Hebron Municipal Code, as amended from time to time, is hereby amended to read, provide, and add as follows, namely:

Article 2

CHAPTER 11

Section 2-2-11-2 Schedule of Fees.

The following schedule of fees shall apply:

Contractor's License.....\$ 75.00

Certificate of Zoning Compliance:

Residential\$ 10.00

Commercial\$ 25.00

Other Planning Related Fees:

Plan Commission

Rezoning Fee\$250.00

Special Meetings requested by a Petitioner\$200.00

Planned development review\$1000.00
and three (3) engineering bids are required; lowest responsible bid amount
will be applied

Reinspection Fee for Each Reinspection resulting from a
Red Tag or Code Violation.....\$50.00

Board of Zoning Appeals Hearings:

Request for Variance, Temporary Use Permit, or Special
Exception.....\$100.00

Special Meetings requested by a Petitioner\$200.00

Zoning Ordinance Books\$ 10.00

Subdivision and Planned Development Fees:

Engineering, planning, and professional review fees (application fee) per
lot:

<10 lots\$450.00

11-25 lots\$350.00

26-39 lots\$300.00
 >40 lots\$250.00

Inspection fee:

2% of total approved cost of construction or installation of improvements

Subdivision and Planned Development fees (continued):

Maps:

Zoning\$3.00
 Streets\$3.00
 Soils\$3.00
 Land use\$3.00
 TIF District\$3.00
 Wards\$3.00

Pre-Application fees:

<10 lots\$500.00
 > 10 lots\$1000.00

Maintenance letter of credit:

120% of total cost of improvements

Cleaning and Televising of Sanitary and Storm lines\$.89/linear
 Ft

Certificates of Occupancy

Residential \$ 75.00
 Commercial \$125.00

If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision of this Ordinance.

That all existing Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

That this Ordinance shall take effect, and be in full force and effect, from and after its passage by the Town Council of the Town of Hebron, Porter County, Indiana, and publication in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED THIS _____ day of August, 2023, by the
Town Council of the Town of Hebron, Porter County Indiana.

HEBRON TOWN COUNCIL
PORTER COUNTY, INDIANA

John Spinks, President

Todd Adamczyk, Member

Justin Albright, Member

Kevin Joseph, Member

Member

Attest: _____
Jamie Uzelac, Clerk-Treasurer

ORDINANCE NO. 2023-08-08-1
(Revision of Ordinance Section 2-2-13-11, Figure 10)

**AN ORDINANCE TO REVISE THE SCHEDULE OF PLAN
 COMMISSION AND BUILDING FEES TO BE COLLECTED BY
 THE TOWN OF HEBRON, INDIANA FOR NEW CONSTRUCTION
 AND FROM RESIDENTS CONSTRUCTING IMPROVEMENTS
 TO THEIR PROPERTY**

WHEREAS, the Town of Hebron, Indiana (the "Town") has heretofore established a schedule of fees for Improvement Location Permits, and

WHEREAS, the Town Council of the Town of Hebron (the "Council"), has been advised that corrections and changes need to be made to Improvement Location Permit Fees;

WHEREAS, the Plan Commission of the Town of Hebron, Porter County, Indiana held a public hearing on the 8th day of August, 2023, pursuant to the Published Notice as requested by applicable law, to consider the advisability of amending for Improvement Location Permits Fees and, at the conclusion of said Public Hearing certified a FAVORABLE RECOMMENDATION to the Council, as Legislative Body of the Town of Hebron, Indiana; and

WHEREAS, the Council, having reviewed said FAVORABLE RECOMMENDATION has determined that it is appropriate, advisable, and in the best interest of the residents of the Town to amend SECTION 2-2-13-11, FIGURE 10, OF THE HEBRON MUNICIPAL CODE pertaining to Improvement Location Permit Fees be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HEBRON, INDIANA, THAT SECTION 2-2-13-11, FIGURE 10, OF THE HEBRON MUNICIPAL CODE BE AMENDED TO READ AS FOLLOWS:

FIGURE 10. IMPROVEMENT LOCATION PERMIT FEES

Single Family Residential and Two-Family New Construction	
Fees include square footage for living area, bonus room, attached garage	
One and Two-Family Residential	Base Fee \$600.00, plus \$ 0.25 per sq. ft.
Driveway	\$150.00, plus \$ 0.25 per sq. ft.
Electrical	\$200.00
Mechanical - HVAC	\$200.00
Plumbing	\$200.00, \$4.00 per fixture
Single Family Residential and Two-Family Additions and Remodeling	

Fees include square footage for living area, bonus room, attached garage	
One and Two-Family Residential	Base Fee \$250.00, plus \$ 0.25 per sq. ft.
Open Frame Porch Enclosure	\$100.00
Enclosed Frame Porch	\$200.00
Open Deck	\$75.00
Demolition	\$75.00

Multi-Family Residential: New Construction	
New Construction	\$750.00 per unit, plus \$ 0.25 per sq. ft.

Multi-Family Residential: Additions	
Additions	\$500.00 per unit, plus \$ 0.25 per sq. ft.

Accessory Buildings, Detached Garages, New Construction and Additions	
80 sq. ft. to 1300 sq. ft.	\$100.00
1301 sq. ft. to 2399 sq. ft.	\$150.00
2400 sq. ft. and larger	\$200.00
Demolition	\$75.00
Accessory Buildings--Alterations, Repairs, or Remodels to Accessory Structures and Detached Garage	
Interior	\$85.00
Exterior	\$65.00

Above-ground and In-ground Pool	
In-ground Pool	\$150.00
Above Ground Pool	\$75.00
Pool Fence	\$50.00

Fencing	
Fence	\$50.00

Electrical	
Temporary Service, Box Change, Amp Upgrade	\$75.00
Meter Reset	\$25.00

Commercial, Industrial and Non-residential Uses	
Primary structure use is non-residential. This fee structure includes structures used for Use Variances and Permanent Use Variances as granted by the Board of Zoning Appeals	
New Construction	Base fee \$800, plus \$ 0.25 per sq. ft. Maximum \$10,000 for the ground floor elevation. Maximum \$5,000 for every floor above and below ground level
<u>Additions</u>	Base fee \$250, plus \$.25 per sq. ft. Maximum \$10,000 for the ground floor elevation. Maximum \$5,000 for every floor above and below ground level
Parking Lot	\$450.00
Curb-Cut	\$200.00
Alterations, Repairs and Remodels	Base fee \$200 plus \$ 0.25 per sq. ft. Maximum \$10,000
Demolition Permit	\$125.00

New Construction	
Mechanical Fee	\$300.00 flat fee
Electrical Fee	\$300.00 flat fee
Plumbing Fee	\$300.00 Flat Fee \$4.00 per fixture.
All Required Inspections	\$25.00 per inspection each inspection charged separately.

Section 2. Repeal of Prior Ordinances. All other ordinances and parts of other ordinances inconsistent with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict.

Section 3. Incorporation of Preambles. The preambles to this Ordinance are hereby incorporated into the text of this Ordinance as if fully set forth herein.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after its passage and adoption by the Council and approval by the President of the Town Council as provided by law, and until such time the fees now existing shall continue in effect.

PASSED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF HEBRON,
INDIANA THIS 8th DAY OF AUGUST, 2023.

HEBRON TOWN COUNCIL
PORTER COUNTY, INDIANA

John Spinks, President

Todd Adamczyk, Council Member

Justin Albright, Council Member

Kevin Joseph, Council Member

Council Member

Attest:

Jamie Uzelac, Clerk-Treasurer

ORDINANCE NO. 2023-08-08-2

TOWN OF HEBRON, PORTER COUNTY, INDIANA

**AN ORDINANCE AMENDING THE
COMPREHENSIVE SIGN ORDINANCE, CHAPTER
10, SECTION 2-2-10-17, PERMIT FEES**

WHEREAS, The Hebron Town Council has enacted the Hebron Municipal Code which contains the Comprehensive Sign Ordinance, Chapter 10, Section 2-2-10-17, setting out Permit Fees; and

WHEREAS, the Hebron Town Council desires to amend the Comprehensive Sign Ordinance, Section 2-2-10-17 Permit Fees; and

WHEREAS, the Town Council of the Town of Hebron, Porter County, Indiana, has been advised that corrections and changes need to be made to the Permit Fees; and

WHEREAS, the Plan Commission of the Town of Hebron, Porter County, Indiana, held a public hearing on the 8th day of August, 2023, pursuant to Published Notice as required by applicable law, to consider the advisability of amending the Comprehensive Sign Ordinance, Chapter 10, Section 2-2-10-17 of the Town Code regarding changes and/or revisions to the Town's Permit Fees and, at the conclusion of said Public Hearing certified a FAVORABLE RECOMMENDATION to the Town Council, as Legislative Body of the Town of Hebron, Indiana; and

WHEREAS, the Town Council of the Town of Hebron, Porter County, Indiana, having reviewed said FAVORABLE RECOMMENDATION has determined that it is appropriate, advisable and in the best interests of the residents of the Town to amend the Comprehensive Sign Ordinance, Chapter 10, Section 2-2-10-17 of the Hebron Municipal Code pertaining to Permit Fees of the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HEBRON, PORTER COUNTY, INDIANA, AS FOLLOWS:

Section One: That the Comprehensive Sign Ordinance, Chapter 10, Section 2-2-10-17 Permit Fees of the Hebron Municipal Code, as amended from time to time, is hereby amended to read, provide, and add as follows, namely:

Article 2

CHAPTER 10

Section 2-2-10-17 Permit Fees.

Section 2-2-10-17. Permit Fees for Signs

Total Square Foot Area	Fee
6-31	\$0.25/sq. ft.
32-137	\$0.30/sq. ft.
138-255	\$0.32/sq. ft.
256 and over	\$0.33/sq. ft.

MISCELLANEOUS FEES

Administrative fee for all signs requiring a permit.	\$ 10.00
Political signs	0.00
Political sign removal bond	100.00
Portable sign	0.00
Banners and Flags	0.00
Commercial Permanent Ground Sign	300.00
Commercial Permanent Wall Sign	100.00

If any section, clause, provision, or portion of this Ordinance shall be held to be invalid or unconstitutional by any Court of competent jurisdiction, such decision shall not affect any other section, clause, provision of this Ordinance.

That all existing Ordinances, or parts thereof, in conflict with the provisions of this Ordinance, are hereby deemed null, void, and of no legal effect, and are specifically repealed.

That this Ordinance shall take effect, and be in full force and effect, from and after its

passage by the Town Council of the Town of Hebron, Porter County, Indiana, and publication in conformance with applicable law.

ALL OF WHICH IS PASSED AND ADOPTED THIS ____ day of August, 2023, by the Town Council of the Town of Hebron, Porter County Indiana.

HEBRON TOWN COUNCIL
PORTER COUNTY, INDIANA

John Spinks, President

Todd Adamczyk, Member

Justin Albright, Member

Kevin Joseph, Member

Member

Attest: _____
Jamie Uzelac, Clerk-Treasurer