

The Thorntown Plan Commission met in a regular meeting on January 12, 2026, at 6:00 PM at the Thorntown Town Hall.

Members in attendance were as follows:

- President Don Gray – Citizen Member
- Nancy Durkin – Citizen Member
- Erick Smith – Citizen Member
- VP Gene Doctor – Citizen Member

Others in attendance: Marcellus Johnson, Planning Administrator. Debbie Luzier, Code Consultant. Aly Hickman, Clerk-Treasurer. Dave Williams, Town Council President. Bruce Burtner, Town Council Vice President.

President Gray calls the meeting to order at 6:00 PM.

## **OPENING CEREMONIES**

President Gray leads the Plan Commission in the Pledge of Allegiance.

## **DETERMINATION OF QUORUM**

President Gray declares a quorum.

## **ADOPTION OF MINUTES**

**Motion by VP Doctor, second by Ms. Durkin, to adopt the minutes from the meeting on December 8, 2025**

**AYES: Don Gray, Erick Smith, Nancy Durkin, Gene Doctor. NAYS: Zero. ABSTAIN: Zero. Motion carries 4, 0, 0.**

## **ELECTION OF OFFICERS**

President Gray opens the floor to nominations for President.

Mr. Smith nominates Don Gray for President of the Thorntown APC.

President Gray nominates Gene Doctor for President of the Thorntown APC.

**Motion by Ms. Durkin, second by Mr. Smith, to close the nominations. Nominations closed.**

**On the nomination of Don Gray for President of the Thorntown APC:**

**AYES: Erick Smith, Nancy Durkin, Gene Doctor. NAYS: Don Gray. ABSTAIN: Zero. Vote Result: 3, 1, 0.**

**On the nomination of Gene Doctor for President of the Thorntown APC:**

**AYES: Don Gray. NAYS: Zero. ABSTAIN: Erick Smith, Nancy Durkin, Gene Doctor. Vote Result: 1, 0, 3.**

**Don Gray is elected President of the Thorntown APC.**

President Gray opens the floor to nominations for Vice President.

Mr. Smith nominates Gene Doctor for Vice President of the Thorntown APC.

**Motion by Ms. Durkin, second by Mr. Smith, to close the nominations. Nominations closed.**

**On the nomination of Gene Doctor for Vice President of the Thorntown APC:**

**AYES:** Don Gray, Erick Smith, Nancy Durkin, Gene Doctor. **NAYS:** Zero. **ABSTAIN:** Zero. Gene Doctor is elected Vice President of the Thorntown APC 4, 0, 0.

President Gray opens the floor to nominations for Secretary.

President Gray nominates Marcellus Johnson for Secretary of the Thorntown APC.

**Motion by President Gray, second by Mr. Smith, to close the nominations. Nominations closed.**

**On the nomination of Marcellus Johnson for Secretary of the Thorntown APC:**

**AYES:** Don Gray, Erick Smith, Nancy Durkin, Gene Doctor. **NAYS:** Zero. **ABSTAIN:** Zero. Marcellus Johnson is elected Secretary of the Thorntown APC 4, 0, 0.

## AGENDA CONSIDERATIONS

There are none.

## COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA

There are none.

## NEW BUSINESS

### Item #1 Public Meeting: Thorntown UDO Info Session

Mr. Johnson gives a [presentation](#) on the new UDO focusing on how it improves upon the current UDO in terms of clarity, effectiveness of standards, and user experience.

Mr. Johnson opens the floor to questions.

Mrs. Hickman asks for non-state standards if they come from best practices, what other Indiana towns are doing, and/or data. Mr. Johnson confirms that is the general approach. Mrs. Hickman asks further if she can direct questions about the justification for the revised standards to Mr. Johnson and Mrs. Luzier. Mr. Johnson says yes.

Mrs. Hickman then asks for clarification on how UDO adoption affects active building permits that might need to be amended or extended. Mr. Johnson explains that if the holder of a currently active permit has to apply for a new permit, their application will be reviewed against the new UDO standards; however, if a person needs an extension of their active permit, that extension request will be reviewed against the current standards.

Mr. Burtner asks if the time limit placed on building permits applies only to new construction. Mr. Johnson says that it applies to all building permits and is intended to make sure that construction happens as quickly as possible so as not to leave projects unfinished for extended periods of time. Mr. Burtner asks if there is a limit to how many extensions a person can receive. [Correction of comments made in meeting: The new UDO allows up to 2 6-month extensions for a total of 1

additional year. If this is not enough time to complete all work, the builder will need to apply for a new permit, including having to pay the required fees again.] Mrs. Luzier adds that generally if construction has at least begun, building inspectors are more likely to grant extensions given good reasons for the delays.

Mr. Williams asks where the change in minimum floor area in the Residential district from 1200 sf to 900 sf came from. Mrs. Luzier explains that the national trend is towards allowing smaller dwelling sizes and letting the market better dictate what size homes get built. The market in Thorntown may still result in 1200 sf homes, but this change allows smaller homes if that is what buyers and sellers are saying they want. Mr. Williams asks if there is a state-mandated minimum, and Mrs. Luzier says that the state does not mandate a minimum floor area. She further explains that reductions in the minimum floor area and minimum lot size also allows existing lots that are currently not buildable [without a variance] to become buildable. Mr. Smith suggests that this allows more homes to be built, and Mrs. Luzier agrees. President Gray says 900 sf is a 30' x 30' structure, which is a pretty good size for a home. He says you can have 2 to 3 bedrooms, plus kitchen and living room in that space.

Mr. Williams asks about the setbacks. Mr. Johnson goes over all the setbacks. Mr. Williams says that he thought the rear setback was already 10 feet (as the UDO proposes) and 7 feet for accessory structures [the UDO proposes 5 feet]. Mr. Johnson says that the version of the ordinance he and Mrs. Luzier built from said otherwise, but either way the new ordinance proposes an 10-foot rear setback for primary structures and 5 feet for accessory structures.

Mr. Smith asks if other towns in the area have adopted the smaller minimum floor area. Mrs. Luzier says that towns of similar size to Thorntown such as Jamestown and Sheridan have adopted reductions to their minimum floor areas. She also reiterated that reduced minimum lot sizes and floor areas reduce the need for variances.

Mr. Burtner says that he thinks it is unfair that the building height of accessory structures is limited by the height of the primary structure. He would prefer that the height of accessory structures not be limited by the size of the primary structure at all, and only have an overall maximum height. Mr. Johnson and Mrs. Luzier explain that building heights are limited this way to prevent accessory structures from being larger or appearing larger than the primary structure because it confuses the hierarchy on the property. It would produce the impression that the accessory structure is primary because visually it is primary (it is bigger). Mrs. Luzier also adds that these size limitations help curtail unauthorized uses of accessory structures, such as for storage, home businesses, or accessory dwellings as it is harder to do those things in smaller buildings. Mr. Bryan Pearcy suggests that accessory structure height could be tied to the setback so that taller buildings are set further back from the property line. VP Doctor suggests that maybe there can be some kind of schedule of structure height to setback ratios. There is further discussion and clarification of this comment, but it largely reiterates the positions summarized above.

Mr. Johnson asks if there are any further questions. There are none.

**Item #2 Workshop: New Zoning Map**

Mr. Johnson introduces the draft of the proposed zoning map for discussion by all those in attendance. The draft was made in consultation of the Future Land Use map from the 2015 Comprehensive Plan and records on current land use with the goal of zoning vacant properties according to their future land use designation and zoning developed properties into the district that is intended for the existing use(s). A satellite image of Thorntown with the proposed zoning districts overlayed is laid out on a table for attendees and commissioners to look at and suggest changes. There are two corrections suggested concerning minor changes to the boundaries of the districts but the overall proposal is not challenged. [The resulting map](#) will be part of the proposal seeking a favorable recommendation from the Plan Commission.

**Item #3 APC Discussion: Thorntown UDO Loose Ends**

Mr. Johnson asks some questions from him and Mrs. Luzier about a few provisions in the proposed ordinance.

In Chapter 1, Section C.4., it is proposed that any property in Thorntown's jurisdiction that is somehow missed in the zoning map be treated as Residential. Mrs. Luzier explains that this is a just-in-case provision for situations in which maybe there was a parcel at the edge of the town's boundaries or that was really small or something and was accidentally overlooked when drawing the map. This provision would treat the property as belonging to whatever the most restrictive zoning district so that land uses that might be more controversial can be reviewed through the rezoning process. Plan Commission agrees with this designation.

In Chapter 2, Section A.3., it is proposed that the official zoning map be maintained as a GIS layer by the Boone County GIS Department in coordination with the Planning Administrator. This is so that Thorntown does not need to maintain its own GIS portal and does not need to produce paper maps or PDFs every time there is a rezoning. Mr. Smith asks if there is a cost associated with having the county maintain this layer, and Mrs. Luzier answers that she would not expect there to be any cost associated with this. She says that in her capacity as planner for Jamestown, she asked them to host the town's zoning map and they did so without any complaint or charge. Plan Commission agrees to this provision.

In Chapter 3, Section B.4.ii., it is proposed that the number of allowed accessory structures requiring permits be limited to two. Mr. Smith asks if the vision for this is a garage and a shed, and Mrs. Luzier says yes or two sheds. She adds that the ordinance also caps the total area allowed for accessory structures at 75% of the primary structure's area, but that this provision would specify that this could be split between at most 2 structures. Mr. Johnson further explains that this provision applies in all districts except Light Industrial and to all accessory structures that require a permit. Mrs. Luzier suggests that the language be tightened up so it applies specifically to sheds, detached garages, and other "building" type accessory structures rather than pools and signs. With the more specific language, the Plan Commission okays the limit of 2 structures.

In Chapter 7, Section F.4., there is some language required to be included in all covenants for new subdivisions. Mrs. Luzier explains that this is to prevent property owners from filling in swales on their property without recourse. Mr. Johnson asks if there is any additional language the Planning

Commission would like to make mandatory for all covenants, not just in relation to drainage but to anything under their purview. Mrs. Luzier explains that the town does not enforce covenants, but we do review them to check for conflicts with local ordinances and cover those contingencies. Plan Commission has no additional language they want to require for covenants.

In the Chapter 8, Section G.4.b.ii., it is proposed that Secondary plats be required to be submitted on 18" x 24" mylar unless another format is approved by the administrator. Mr. Smith says that he thinks paper copies are necessary as not everyone in Thorntown who may be involved in reviewing the plats can easily access, use, and markup PDFs. VP Doctor asks if the mylar refers to the "permanent copy," and Mrs. Luzier confirms. Mrs. Luzier states that the county is moving increasingly towards all review being conducted via electronic copies, so the hardcopy set would be more for the purpose of the final recording copy. Plan Commission says that they still want 18" x 24" but not on mylar.

In the same chapter, Section G.4.a.i.c., there is a list of people who are required to sign the secondary plat. Mrs. Luzier explains that when there are overlapping jurisdictions with their own requirements outside of the zoning ordinance, it can be advantageous to have them also sign the plats to ensure that everyone's requirements are met. Mr. Johnson says that these individuals are already part of the TAC review, but requiring their signature prevents a situation in which the Plan Commission signs off on a secondary plat that does not yet meet INDOT's or the County Drainage Board's standards. Mr. Smith notes that the proposed list does not include anyone from the Town Council and asks if it would be an option to add someone from that body. Mrs. Luzier says that they can add anyone they want, but that the idea is to add someone who can read plans and construction drawings and say, "Yes, this is what the town wants." She asks if there is anyone in town responsible for the streets, drainage, and/or utilities. President Gray says there's the Town Utilities Superintendent and suggests they be added to the list.

In Chapter 9, Section A.4., it is proposed that the burden of proof for establishing a legal non-conforming status is on the property owner. Mr. Smith asked what the alternative to this would be. Mr. Johnson explains that without this provision the town could be in a position where it has to take a property owner's word that a use was legally established, whereas with the provision, if the property owner cannot prove that the use was legally established, the town is under no obligation to respect that claim. Mrs. Luzier adds as an example that if a property owner claims to have been in business for twenty years, they should be able to show a listing from an old phone book for example that supports that claim. She says these are records that the property owner is more likely to have and to keep than the town would be. The Plan Commission is in agreement with this provision.

Later in the same chapter, in Section D.2., there is a list of "major changes" that would eliminate a sign's legal non-conformity and require it to conform to the new standards. Mrs. Luzier says that many communities she has worked with in the past forego the first change on the list, which is a change of business entity. She says that often if it's the same use, then a change in the name of the business is seen as inconsequential. Mrs. Luzier offers an example involving a gas station with a large sign being bought by a Starbucks, allowing the Starbucks to continue to use the gas station's large sign. This example makes Mr. Smith hesitant about striking this from the major changes list, but Mrs. Luzier adds that for most communities, this would only cover something like swapping a

panel or repainting a sign, which would likely not otherwise require a permit and could therefore happen without the town's knowledge until someone notices the sign has been changed. This is good enough for Mr. Smith and the Plan Commission agrees to strike change of business entity from the major changes list. Section D.4. requires that non-conforming signs must be removed from a property within 30 days if the business entity it advertises has vacated the premises. Plan Commission has no problem with this provision.

That concludes the APC Discussion.

## OLD BUSINESS

There are none.

## OTHER BUSINESS

There are none.

## ANNOUNCEMENTS

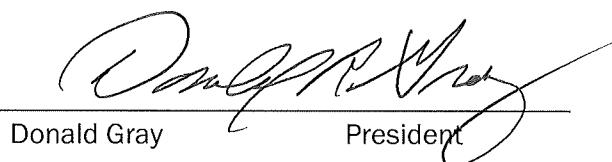
The Plan Commission will hold a public hearing to consider a favorable recommendation to the Town Council concerning adoption of this UDO and its map on Monday, January 26 at 6pm.

## ADJOURNMENT

**Motion by Mr. Smith, second by VP Doctor to adjourn the meeting.**

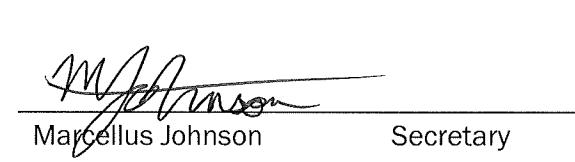
**AYES:** Don Gray, Erick Smith, Nancy Durkin, Gene Doctor. **NAYS:** None. **ABSTAIN:** None.

President Gray adjourns the meeting at 8:20 PM.



Donald Gray

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Marcellus Johnson

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President

Secretary