

Boone County Area Plan Commission (APC)

Minutes of the February 4, 2026, Meeting

The Boone County Area Plan Commission met in regular session at 7:00 PM on Wednesday, February 4, 2026, in the Connie Lamar Meeting Room located on the main floor of the Boone County Annex Building at 116 W. Washington Street, Room 105, Lebanon, IN 46052 with the following personnel in attendance:

Members Attending: Matt Johnson, John Merson, Tad Braner and Jay Schaumberg

Members Absent: Commissioner Donnie Lawson, Dustin Plunkett and Carol Cunningham

Staff Attending: Nicole M. Schell (Executive Director), Ashley Elliott (Administrative Assistant) and Bob Clutter (Attorney for the Boone County BZA and APC)

[YouTube Link to Meeting](#)

DETERMINATION OF QUORUM AND PLEDGE OF ALLEGIANCE

John Merson opened the meeting at 7:00pm by leading the Pledge of Allegiance. Introductions followed.

Determination of Quorum: 4 of 7 members present.

Approval of the Agenda:

None at this time.

APPROVAL OF MINUTES FOR:

Approval of Minutes for November 5, 2025:

Tad Braner made a motion to approve the minutes from November 5, 2025. Jay Schaumberg seconded the motion. Motion carried 4-0.

Approval of Minutes for December 3, 2025:

Tad Braner made a motion to approve the minutes from December 3, 2025. Jay Schaumberg seconded the motion. Motion carried 4-0.

Approval of Minutes for January 7, 2026:

Tad Braner made a motion to approve the minutes from January 7, 2026, meeting. Jay Schaumberg seconded the motion. Motion carried 4-0.

IN THE MATTER OF OLD BUSINESS

None at this time.

IN THE MATTER OF NEW BUSINESS

1. 25JA-7M-271 Breeze Hill Farm, LLC/Roger Henry; Special Exception for a Minor Residential Subdivision in the Agriculture (AG) District and a Variance from the 3:1 lot depth-to-width ratio

Nicole N. Schell read the staff report.

Kyle Henry came forward on behalf of this petition

Public Comments:

None.

Board Comments:

None.

Motion:

Matt Johnson made a motion to approve 25JA-7M-271 with the conditions stated in the staff report. Tad Braner seconded the motion. Motion carried 4-0.

2. 25MA-7M-274 Cortlan Christy; Special Exception to allow a Minor Residential Subdivision in the Agriculture (AG) District with 2 Lots and a Variance from the 3:1 lot depth-to-width ratio

Nicole M. Schell read the staff report.

Surveyor Jim Swift came forward on behalf of this petition

Public Comments:

None.

Board Comments:

None.

Motion:

Tad Braner made a motion to approve 25MA-7M-274 with the conditions stated in the staff report. Matt Johnson seconded the motion. Motion carried 4-0.

VIOLATION REPORT

Tad Braner asked about how do we approach those?

Attorney Bob Clutter responded by stating when we receive a complaint the building inspector will go out and take pictures and evaluate it in terms of the Zoning Ordinance to see if there is a violation and if there is the staff would send a letter on the violation and how they have to remedy it and within so many days. If there is no response the staff will send a second follow-up letter and if there is still no response, they will send a legal letter stating the violation needs taken care of or we will file a lawsuit.

John Merson asked if anything came about on the concrete dumping on the creek.

Attorney Bob Clutter responded that Surveyor Carol Cunningham knows about it more than he does.

Tad Braner mentioned that he would like to re-visit the concrete dumping at the next APC meeting in March.

ADMINISTRATIVE MATTERS

1. Director's Announcements

None.

2. Consideration of APC Rules and Procedures

- a. Original Draft - [Original Draft](#)
- b. Proposed Draft - [Proposed Draft](#)

Nicole Schell stated she made a few changes by taking out the membership table, because anytime a new member comes on you wouldn't have to change and amend your Rules and Procedures and put in there how the membership is by the Indiana State Code. The other change was the process of the meeting and made a few modifications to time restraints and in her experience most public entities only allow 3 minutes, which is plenty of time to get their point across to the board and gave the petitioner more time of 10 minutes than 5 minutes.

Matt Johnson asked who would be the timekeeper?

Nicole Schell responded it could really be anyone.

Jay Schaumberg asked does it still allows the chair to have discretion to allow them to continue.

Nicole Schell responded yes, unless the quorum of the board disagrees.

John Merson stated that he is not a fan of the time thing at all.

Motion:

Tad Braner made a motion to approve the new APC Rules and Procedures as presented. Matt Johnson seconded the motion. Motion carried 4-0.

3. Nicole Schell mentioned to the board that on February 11, 2026, 6-8pm at the 4-H Fairgrounds there will be an Open House on the Comprehensive Plan and community feedback.

4. John Merson asked Nicole Schell out of curiosity if she plans to change the format of the petitions.
Nicole Schell responded that she doesn't plan to make any changes at this time.

ADJOURNMENT

With no further business, John Merson made a motion to adjourn at 7:27pm.
Jay Schaumberg seconded the motion. Motion carried 4-0.

