

Shelby County Plan Commission

October 22, 2019 at 7:00 PM

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MEETING AGENDA

Shelby County Plan Commission
September 24, 2019, 7:00 P.M.

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

Minutes from the September 24, 2019 meeting.

OLD BUSINESS

None.

NEW BUSINESS

RZ 19-14 – BULL & BRANCH REZONING: A1 (Conservation Agricultural) District to the RE (Residential Estate) District. Located at 5176 W SR 252, Edinburgh.

SD 19-14 – BULL & BRANCH SIMPLE SUBDIVISION - PRIMARY APPROVAL: To allow for subdivision of a 5-acre lot from a 96.9-acre parent tract.

DISCUSSION

None.

ADJOURNMENT

The next regular meeting of the Shelby County Plan Commission is scheduled for Tuesday, November 26, 2019 at 7:00 PM.

Summary of Cases

RZ 19-14– BULL & BRANCH REZONING

REQUEST: Rezoning of 5 acres from the AI (Conservation Agricultural) District to the RE (Residential Estate) District to allow for a 1-lot Simple Subdivision.

LOCATION: Jackson Township at 5176 W SR 252, Edinburgh.

STAFF RECOMMENDATION: APPROVAL primarily because the property lies within an Estate Residential area identified on the Future Land Use Map of the Comprehensive Plan

SD 19-14– BULL & BRANCH SIMPLE SUBDIVISION

PRIMARY APPROVAL OF A SIMPLE SUBDIVISION to allow for subdivision of a 5-acre lot from a 96.9-acre parent tract.

WAIVERS to allow for:

1. A lot with 50-feet of road frontage (minimum 160-feet required).
2. Side lot lines greater than degrees (15°) of a right angle to the street and right-of-way (not permitted).

LOCATION: Jackson Township at 5176 W SR 252, Edinburgh.

STAFF RECOMMENDATION: APPROVAL

Staff Report

CASE NUMBER: RZ 19-14
CASE NAME: BULL & BRANCH REZONING - AI (CONSERVATION AGRICULTURAL) TO RE (RESIDENTIAL ESTATE).

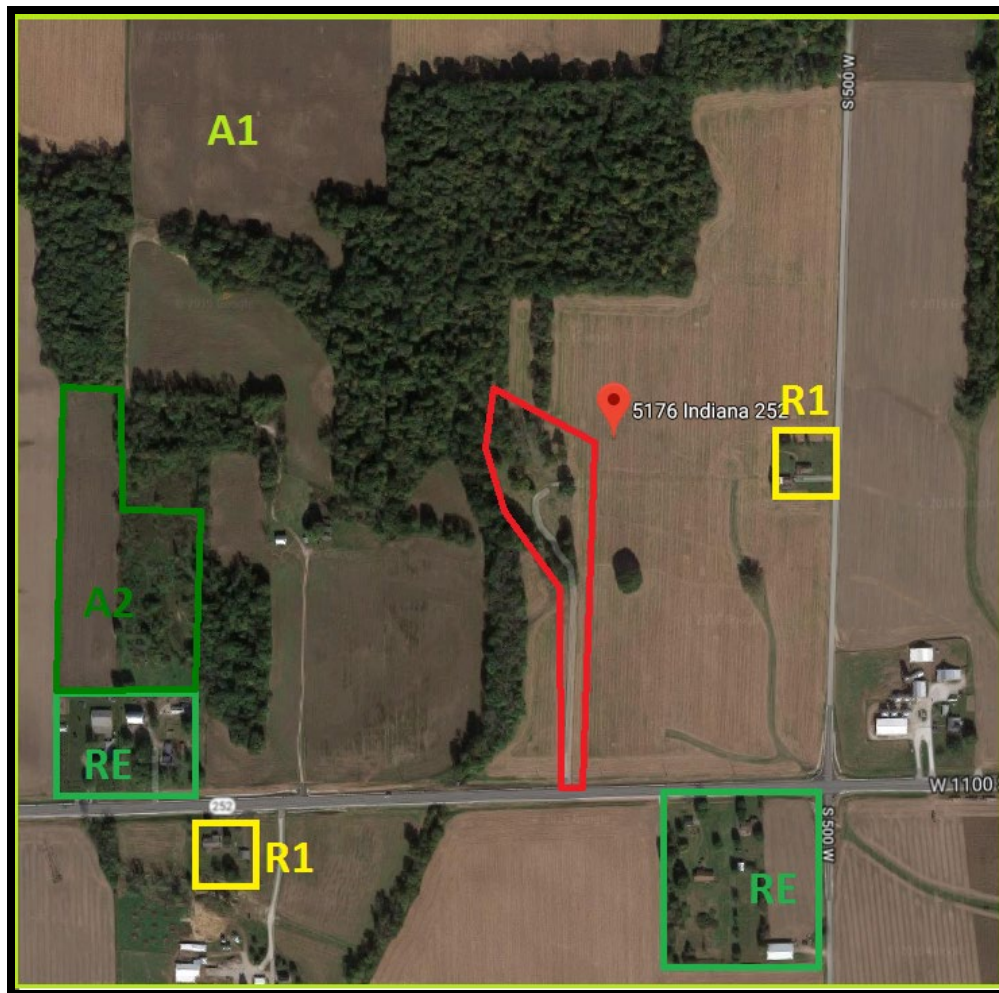
CASE SUMMARY

REQUEST: Rezoning of 5 acres from the AI (Conservation Agricultural) District to the RE (Residential Estate) District to allow for a 1-lot Simple Subdivision.

STAFF RECOMMENDATION: APPROVAL primarily because the property lies within an Estate Residential area identified on the Future Land Use Map of the Comprehensive Plan.

PROPERTY DESCRIPTION

Jackson Township at 5176 W SR 252, Edinburgh.



Property Size: 5 acres.

Property Improvements: Driveway & Barn.

Surrounding Development: Cropland.

Current Zoning District: A1 (Conservation Agricultural) – Per the UDO, the district is established for the protection of agricultural areas and buildings associated with agricultural production.

Proposed Zoning District: RE (Estate Residential) – Per the UDO, the district is established for single-family detached dwellings in a rural or county setting.

- The district should be used for residential estates, hobby farming, and low density single-family detached dwellings on large lots.
- The district should be applied to existing development, new development and small area zoning.
- The Plan Commission should use this zoning district for existing developments and carefully for new residential development. Large subdivisions on well and septic systems are not favored.

Comprehensive Plan Future Land Use Map: Estate Residential

CASE DESCRIPTION

- Approval of the rezoning request and subsequent simple subdivision would allow for the development of one single-family residential lot.
- The petitioner proposes to subdivide the property from a 96.90-acre tract primarily used for crop production.
- The proposed lot includes significant variations in elevation compared to the remaining portion of the 96.90-acre tract.
- The USDA Soil Survey identifies portions of the property as Not Prime Farmland, Prime Farmland if Drained, and Prime Farmland if protected from flooding or not frequently flooded during the growing season.

STAFF ANALYSIS

In accordance with IC 36-7-4-603 and the UDO, when considering a rezoning, the Plan Commission shall pay reasonable regard to:

1. **Current Conditions and the Character of Current Structures and Uses in Each District**

The request is consistent with the character of the district because the lot would exceed the size of most residential lots in the area.

2. **The Most Desirable Use for Which the Land in Each District Is Adapted**

The property includes several elevation changes, includes a significant amount of forested area, and is designated as 'Not Prime Farmland' by the USDA Soil Survey. These factors limit crop production and render the property more desirable for residential use.

3. The Conservation of Property Values throughout the Jurisdiction

Development of the property with a single-family residence would likely increase the value of the property.

4. Responsible Development and Growth

The property lies within an Estate Residential area identified on the Future Land Use Map of the Comprehensive Plan and the request is consistent with the Estate Residential designation.

5. The Comprehensive Plan

Future Land Use Map Designation: Estate Residential – Per the Comprehensive Plan, the purpose of this category is to provide for new rural residential housing opportunities in rural areas not well-suited for agriculture. New residential development should have reasonable access to roads and utilities and should not significantly disrupt agricultural activities. The residential density of this category should not exceed one lot for every two acres.

The request is consistent with the Estate Residential land use designation because a significant portion of the property lies within an area designated as 'Not Prime Farmland' by the USDA soil survey, the property has access to roads and utilities, development of one residence would not significantly disrupt agricultural activities, and the lot would exceed two acres.

Key Theme: Invest for managed growth within specific areas of the County where new development is desired.

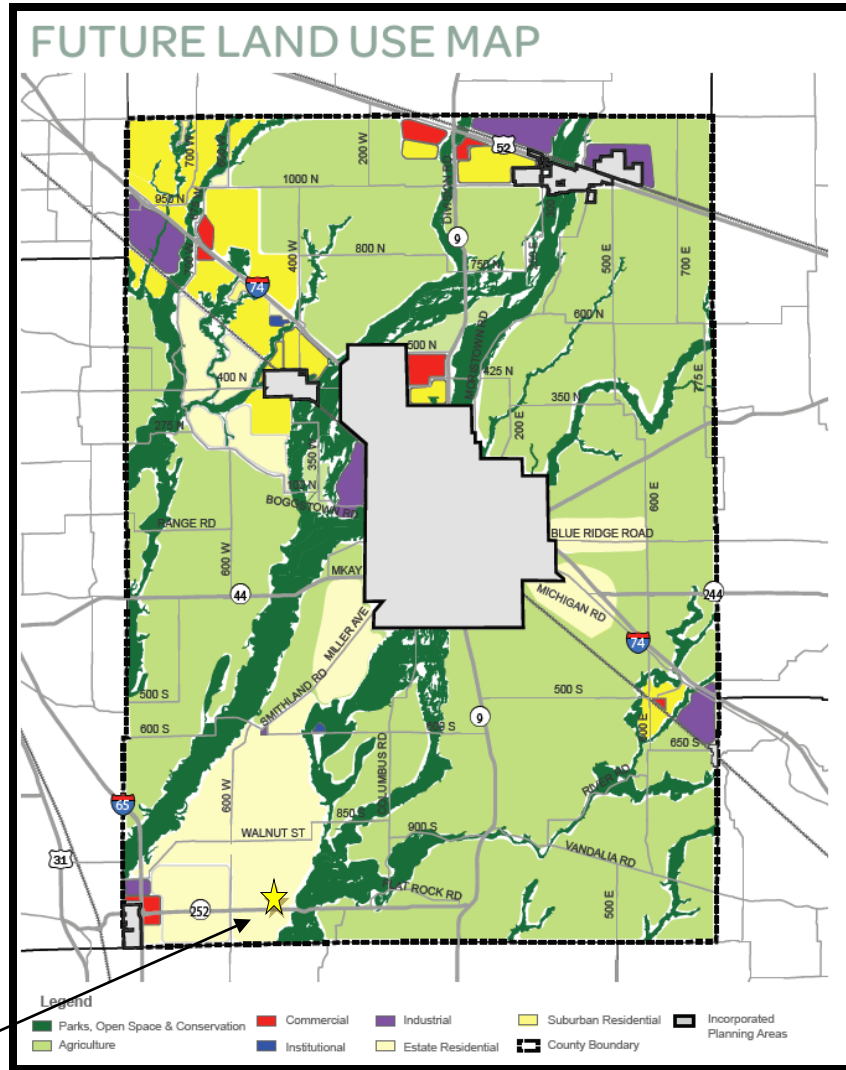
The request is consistent with this key theme because the property lies within an Estate Residential area identified on the Future Land Use Map of the Comprehensive Plan and the request is consistent with the Estate Residential designation.

Land Use Goal 1: Welcome and promote future development in appropriate areas of the County. ***Strategy 3:*** Identify and promote development areas for all major land use types identified on the Future Land Use Map.

The request is consistent with this with this goal and strategy because the property lies within an Estate Residential area identified on the Future Land Use Map of the Comprehensive Plan and the request is consistent with the Estate Residential designation.

Land Use Goal 2: Ensure future development decisions enhance and don't detract from the county's rural character and agricultural function. ***Strategy 1:*** Preserve prime farmland and agricultural road frontage in rural areas of the county.

The request is consistent with this goal and strategy because development because the lot does not include more than 50-feet of road frontage, thereby preserving agricultural road frontage.



Subject Property

APPLICANT/OWNER INFORMATION

Applicant
 Surveyor/ Scott T. Sumerford
 3149 N Riley Hwy.
 Shelbyville, IN 46176

Owner: Bull & Branch Farms, LLC (Mike Steinbarger)
 4894 W SR 252
 Edinburgh, IN 46124

Staff Report

CASE NUMBER: SD 19-14
CASE NAME: BULL & BRANCH SIMPLE SUBDIVISION – PRIMARY APPROVAL

CASE SUMMARY

PRIMARY APPROVAL OF A SIMPLE SUBDIVISION to allow for subdivision of a 5-acre lot from a 96.9-acre parent tract.

WAIVERS to allow for:

1. A lot with 50-feet of road frontage (minimum 160-feet required).
2. Side lot lines greater than degrees (15°) of a right angle to the street and right-of-way (not permitted).

STAFF RECOMMENDATION: Approval of the simple subdivision and waivers.

PROPERTY DESCRIPTION

Location: Jackson Township at 5176 W SR 252, Edinburgh.

Property Size: 5 acres.

Property Improvements: Barn & Driveway.

Proposed Zoning District: RE (Residential Estate).

Comprehensive Plan Future Land Use: Estate Residential.

CASE DESCRIPTION

- The Simple Subdivision would create one single-family residential building lot.
- Approval of the waivers would conserve tillable ground near the road and allow for lot lines that follow the natural grade of the land.
- The minimum road frontage requirement discourages the creation of ‘flag lots.’ Flag lots represent disorderly development which could lead to future property line disputes and cause difficulty for visitors or emergency vehicles in locating the house from the public road.
- The UDO regulates the angle of lots lines to encourage orderly development.

STAFF ANALYSIS

Staff has reviewed the proposed plat and has determined:

1. The subdivision of land is consistent with the Shelby County Comprehensive Plan.
2. The subdivision of land satisfies the development requirements of *Article 06: Subdivision Types*.

3. The subdivision of land satisfies the standards of *Article 07: Design Standards*, pending approval of a waiver allowing lot lines greater than degrees (15°) of a right angle to the street and right-of-way.
4. The subdivision of land satisfies any other applicable provisions of the Unified Development Ordinance, pending approval of a waiver to allow for 50-feet of road frontage.
5. The subdivision of land satisfies the construction requirements of the Shelby County's Construction Standards.

APPLICANT/OWNER INFORMATION

Applicant/
Surveyor Scott T. Sumerford
 3149 N Riley Hwy.
 Shelbyville, IN 46176

Owner: Bull & Branch Farms, LLC (Mike Steinbarger)
 4894 W SR 252
 Edinburgh, IN 46124

