

Shelby County Plan Commission

July 22, 2025, at 7:00 PM

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MEETING AGENDA

Shelby County Plan Commission
July 22, 2025

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

Minutes from the June 24, 2025, meeting.

OLD BUSINESS

None.

NEW BUSINESS

RZ 25-10 – DAGLEY REZONING: Rezoning of 3-acres from the A1 (Conservation Agricultural) District to the RE (Residential Estate) District to allow for a one-lot Simple Subdivision. Located west of and adjoining 7619 E 300 S, Waldron, Liberty Township.

SD 25-09 – FREEMAN OVERLOOK SIMPLE SUBDIVISION: Simple Subdivision to create one new 3-acre, single-family building lot. Located west of and adjoining 7619 E 300 S, Waldron, Liberty Township.

DISCUSSION

None.

ADJOURNMENT

The next regular meeting of the Shelby County Plan Commission is scheduled for Tuesday, **August 26, 2025, at 7:00 PM.**

Meeting Information

Location: Conference Room 208A of the Shelby County Courthouse Annex Building, 25 West Polk Street, Shelbyville, Indiana

Time: 7PM

Zoom Link: <https://us06web.zoom.us/j/86908892741?pwd=VGOT6bN8OEKvSjZJcwwSdm4UrHn3RV.1>

Password: Shelby

Board Members & Staff

Kevin Carson, President: Appointed by County Commissioners, Term 1/1/25 – 1/1/29

Jason Abel, Vice President: Commissioners Representative, Term 1/1/25 – 1/1/26

Megan Hart, Secretary: Appointed by County Commissioners, Term 1/1/23 – 1/1/27

Tony Sipes, Member: Appointed by Extension Board, Term 4/1/25 – 4/1/26

Troy Merrick, Member: Council Representative, Term 1/1/25 – 1/1/26

Jeff Powell, Member: County Surveyor

Mike McCain, Member: Appointed by County Commissioners, Term 1/1/22 – January 1/1/26

Alicia Barr, Member: Appointed by County Commissioners, Term 1/1/25 – 1/1/29

Andrew Newkirk, Member: Appointed by County Commissioners, Term 1/1/25– 1/1/29

Desiree Calderella, Planning Director

Jody Butts, Board Attorney

Property Details

Location: West of and adjoining
7619 E 300 S, Waldron, Liberty
Township.

Property Size: 3-acres.

Current Land Use: Cropland

Current Zoning Classification

A1 (Conservation Agricultural)
*This district is established for the
protection of agricultural areas and
buildings associated with agricultural
production.*

Proposed Zoning Classification

RE (Residential Estate)
*This district is established for single-
family detached dwellings in a rural or
country setting.*

Future Land Use per Comp Plan

Agriculture

*The purpose of this category is to provide
for traditional agricultural practices (such
as crop production and livestock grazing)
and modern agricultural practices (such
as agricultural research facilities and
CAFOs). Rural home sites may also occur
within this category; however, the
emphasis should remain on agriculture.
New residential subdivisions that remove
prime farmland from production should
be discouraged. The residential density of
this category should be one lot for every
five acres.*

Surrounding Development

	Zoning	Land Use
North	A1	Cropland
South	A1	Cropland
East	A2	Estate Residential
West	A1	Cropland

Staff Report

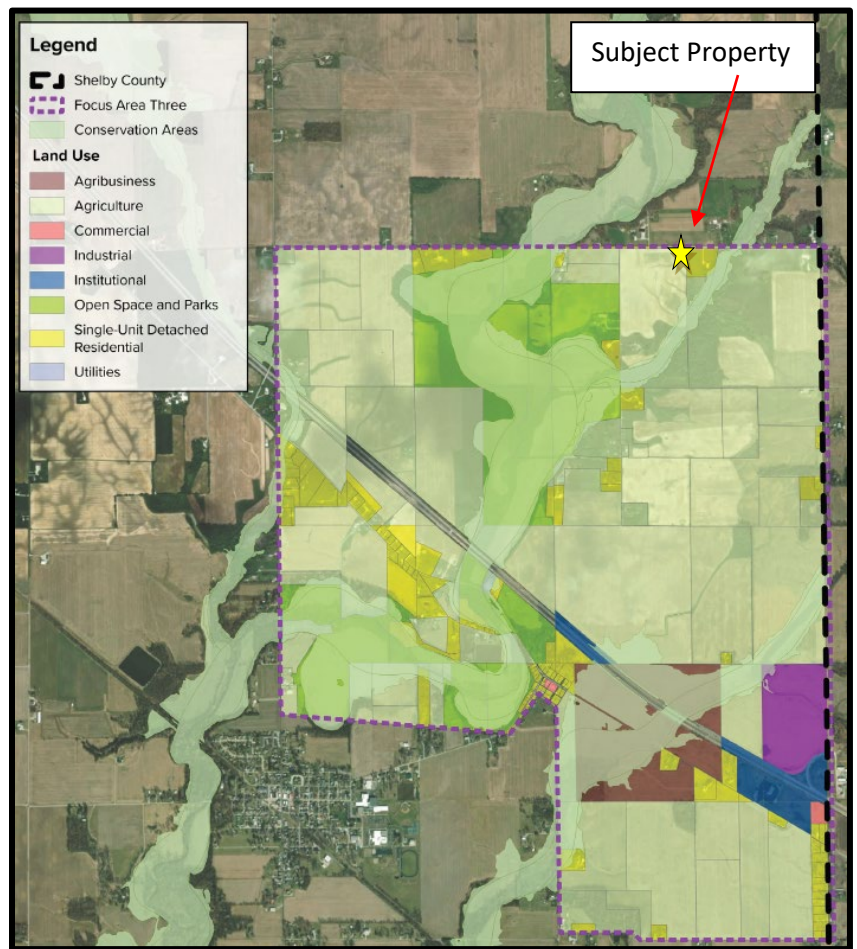
Case Number: RZ 25-10 / SD 25-09
Case Name: Dagley Rezoning – A1 (Conservation
Agricultural) to RE (Residential Estate) &
Freeman Overlook Simple Subdivision

Requests

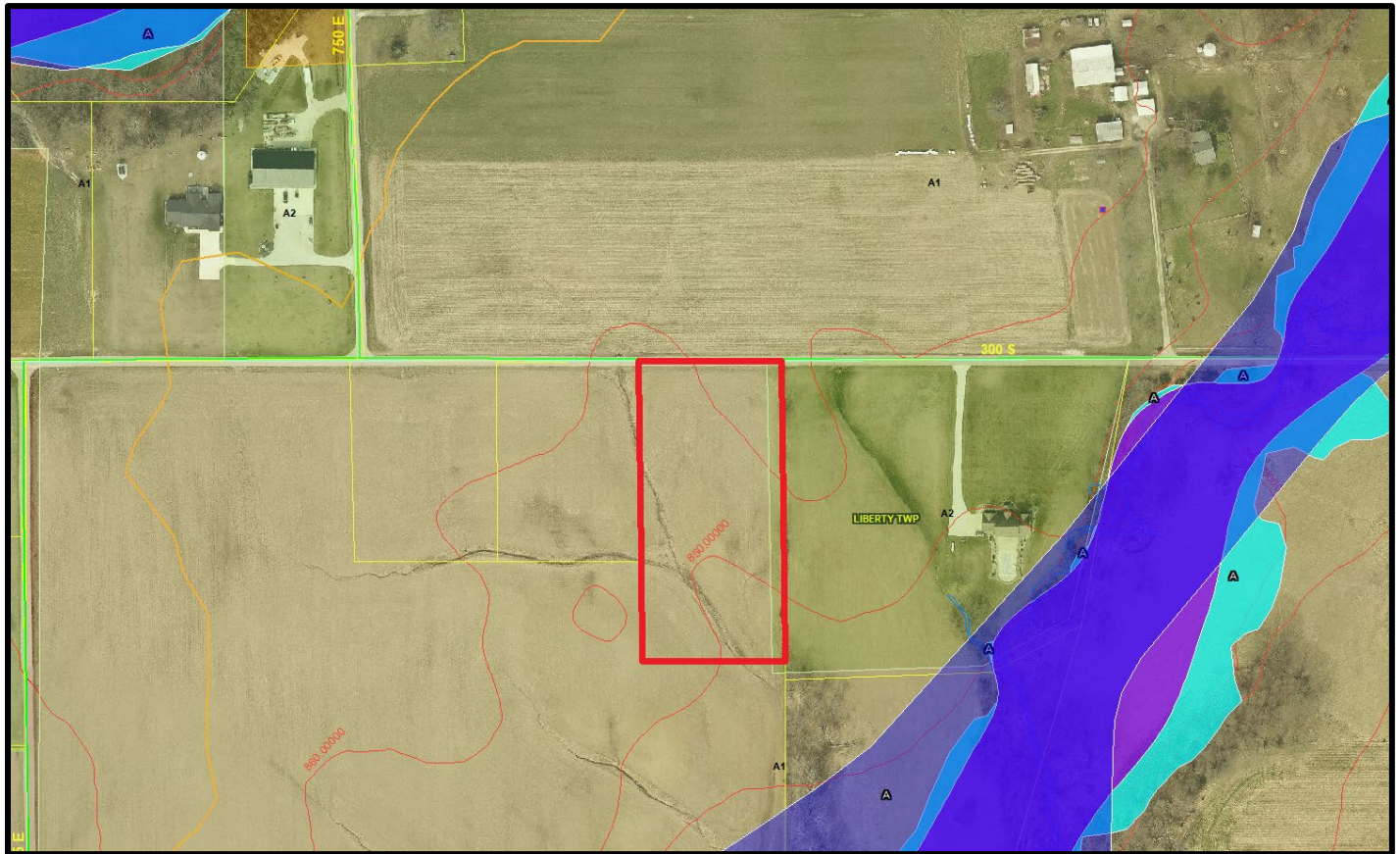
Rezoning of 3-acres from the A1 (Conservation Agricultural) District to the RE (Residential Estate) District to allow for a one-lot Simple Subdivision.

Simple Subdivision to create one new 3-acre, single-family building lot.

Future Land Use Map – Waldron Sub-Area



Property Map



Case Description

- Approval of the requests would allow for development of one, 3-acre single-family residential building lot.
- Surrounding development includes single-family residential homesites on lots between one-acre and ten-acres.
- The USDA Soil Survey classifies approximately 40% of the property as 'Prime Farmland if Drained' and approximately 60% of the property as 'Not Prime Farmland'.
- The property slopes southwest from the road approximately 15-feet to an existing ditch. The plat includes a 20-foot drainage easement over the ditch. The easement allows the lot owner, County Surveyor, and County Drainage Board access to drainage easement for the purpose of widening, deepening, sloping, improving, maintaining, or protecting the ditch as required by the UDO.
- The petitioner subdivided the subject property and two, 2-acre tracts from the adjacent cropland in 2023 without obtaining rezoning and subdivision approval from the Plan Commission. State law allows for the subdivision and sale of property without approval from the local planning authority; however, the local planning authority may prohibit development of property subdivided without required approvals.

- Approval of the requests would retroactively establish the subject property as a building lot eligible for residential construction permits. The petitioner has chosen not to include the 2-acre tracts in the request; therefore, those tracts will remain ineligible for residential construction permits.
- The Technical Advisory Committee (TAC) / Site Plan Review Committee would review a detailed site plan including structure layout, elevation of development, drainage infrastructure, and septic system design for compliance with County codes prior to issuance of permits for a new single-family residence.

Staff Analysis Findings of Fact

Rezoning: 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 surrounding area includes single-family residential homesites on lots between one-acre and ten-acres. Approval of the rezoning to allow for residential development of a 3-acre lot would not conflict with residential development in the area.

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

Approval of the rezoning would allow for development of a rural residential lot on land predominantly designated as Not Prime Farmland by the USDA Soil Survey.

3. The Conservation of Property Values throughout the Jurisdiction

Development of the property for residential purposes would have no perceivable impact on property values throughout the County.

4. Responsible Development and Growth

Approval of the rezoning would allow for a single-family detached dwelling in a rural or country setting as intended for the RE District. The Technical Advisory Committee (TAC) / Site Plan Review Committee would review a detailed site plan including structure layout, elevation of development, drainage infrastructure, and septic system design for compliance with County codes prior to issuance of permits for a new single-family residence.

5. The Comprehensive Plan

Approval of the rezoning would not result in the residential density of the area exceeding one lot per five acres as recommended for rural residential development in agricultural areas by the Comprehensive Plan.

Simple Subdivision: 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.

4. The subdivision of land satisfies any other applicable provisions of the Unified Development Ordinance.
5. The subdivision of land satisfies the construction requirements of Shelby County's Construction Standards.

Staff Recommendation

Staff recommends **APPROVAL of the Rezoning and Simple Subdivision** primarily because the rezoning would allow for residential development of property designated as Not Prime Farmland and residential development which would not conflict with existing residential development in the area.

Applicant/Owner Information

Applicant:	Stephen Dagley Family Trust, Douglas Dagley Trustee	Owner: Same
	3306 S 725 E	
	Waldron, IN 46182	

APPLICATION FOR REZONING

FINDINGS OF FACT

The applicant (or their representative) must fill out the findings of fact on the following pages. The Plan Commission may review the applicant's findings of fact to assist with their decision-making process. Please see below for general guidance related to completing the findings of fact.

Applicant: Stephen Dagley Trust - Douglas Dagley Trustee

Case #: _____

Location: 300 S between 25 725 E + 800 E (south side)

1. The request is consistent with the Shelby County Comprehensive Plan because: there will be a single family home on a minimum of 2 acres
2. The request is consistent with the current conditions and the character of structures and uses in each district because: Most of area is agricultural but homes across the street and to East
3. The request is consistent with the most desirable use for which the land in each district is adapted because: Requires a minimum of 2 acres but this is 3 acres
4. The request is consistent with the conservation of property values throughout the jurisdiction because: There is a ditch at the back of property
5. The request is consistent with responsible growth and development because: Bringing new residents to Shelby County

General Guidance – Rezoning (not to be considered legal advice):

Finding 1: How is the proposed new zoning designation consistent with the future land use of the property identified in the Comprehensive Plan? If you do not know the future land use of the property, please ask the Planning Director.

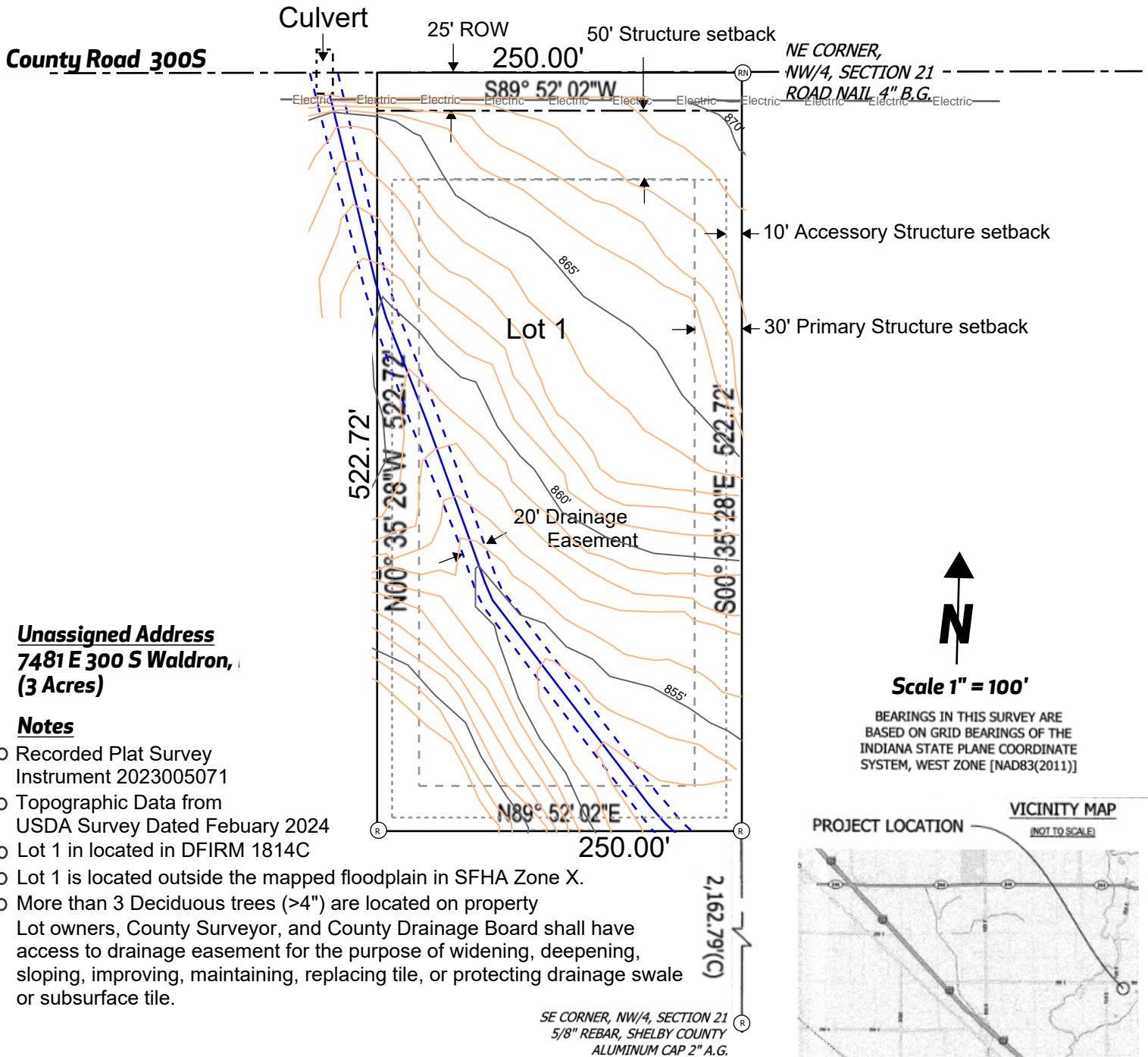
Finding 2: How is the proposed use, and/or other possible future uses permitted in the proposed zoning district, similar to surrounding structures and uses of land?

Finding 3: Why is the proposed use, and/or other possible future uses permitted in the proposed zoning district, the most desirable use for the land?

Finding 4: Explain why the proposed use, and/or other possible future uses permitted in the proposed zoning district, would not negatively impact property values.

Finding 5: Why is the change in zoning designation consistent with responsible growth and development?

Freeman Overlook Simple Subdivision



Unassigned Address
7481 E 300 S Waldron,
(3 Acres)

Notes

- Recorded Plat Survey Instrument 2023005071
 - Topographic Data from USDA Survey Dated February 2024
 - Lot 1 is located in DFIRM 1814C
 - Lot 1 is located outside the mapped floodplain in SFHA Zone X.
 - More than 3 Deciduous trees (>4") are located on property
- Lot owners, County Surveyor, and County Drainage Board shall have access to drainage easement for the purpose of widening, deepening, sloping, improving, maintaining, replacing tile, or protecting drainage swale or subsurface tile.

Legal Description

PREPARED TRACT 1 (3.00 ACRES PROTRACTED FROM INSTRUMENT #2022001744)

A PART OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 12 NORTH, RANGE 8 EAST, LIBERTY TOWNSHIP, SHELBY COUNTY, INDIANA, BEING PART OF AN 80.00 ACRE TRACT DESCRIBED IN INSTRUMENT NUMBER 2022001744, AS SHOWN ON A PLAT OF SURVEY BY ALIGN, DATED NOVEMBER 18, 2023 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 12 NORTH, RANGE 8 EAST, FOUND BEING MARKED BY A ROAD NAIL; THENCE ALONG THE EAST LINE OF SAID QUARTER, SOUTH 00°35'28" EAST FOR A DISTANCE OF 522.72 FEET TO A 5/8" REBAR WITH CAP STAMPED "ALIGN-BNDRY FIRM #0123", HEREAFTER REFERRED TO AS "REBAR"; THENCE SOUTH 89°52'02" WEST, PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER, 250.00 FEET TO A "REBAR"; THENCE NORTH 00°35'28" WEST PARALLEL WITH EAST LINE OF SAID NORTHWEST QUARTER (PASSING A "REBAR" AT 502.72 FEET), FOR A TOTAL DISTANCE OF 522.72 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE NORTH 89°52'02" EAST ALONG SAID NORTH LINE 250.00 FEET TO THE POINT OF BEGINNING, CONTAINING 3.00 ACRES MORE OR LESS.

SUBJECT TO ANY AND ALL EASEMENTS, CONDITIONS, RESTRICTIONS, AND ROAD RIGHTS-OF-WAY OF RECORD.

BEARINGS IN THIS DESCRIPTION ARE BASED ON GRID BEARINGS OF THE INDIANA STATE PLANE COORDINATE SYSTEM, WEST ZONE [NAD83(2011)].

Engineer Certification:

I, the undersigned, hereby certify that I am a duly licensed professional engineer in the State of Indiana and that the information, findings, and conclusions presented in this document have been prepared in accordance with accepted engineering practices and standards. To the best of my knowledge and belief, the contents are true and accurate.

Witness my hand this ____ day of July, 2025.

Douglas R. Dagley, PE
Professional Engineer
PE10708206

Owners Certification:

I, Douglas R Dagley (Trustee), do hereby certify that I am the owner of the property described in the above captioned and that as such owner I have caused the said above described property to be surveyed and subdivided as shown on plat and site plan, as a free and voluntary act and deed.

Witness my hand this ____ day of July, 2025.

Stephen Dagley Family Trust
Douglas R. Dagley, Trustee

Notary Certification:

I, _____, a Notary Public in and for said County and State, do hereby certify that Douglas Dagley, Personally known to me to be the same person whose name is subscribed to the certificate appears before me this day in person and acknowledged that they signed the above certificate as their own free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and notarial seal this ____ day of July, 2025.

Notary Public

Plan Commission Approval:

Approved by the Shelby County Plan Commission in accordance with Subdivision Regulations with Waivers of design standards.

By _____
Kevin Carson, President Plan Commission Date

By _____
Kevin Carson, President Plan Commission Date

Rezoning Approval:

Shelby County Plan Commissioners Rezoning Ordinance # _____ was approved by the
Shelby County Commissioners on _____