

Shelby County Plan Commission

August 25, 2026, at 7:00 PM

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MEETING AGENDA

Shelby County Plan Commission
August 25, 2026

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

Minutes from the August 12, 2026, meeting. *(continued to September 22, 2026)*

CONTINUED BUSINESS TO SEPTEMBER 22, 2026

RZ 26-18 – LB RENOVATIONS, LLC REZONING: Rezoning of 3.912-acres from the A2 (Agricultural) District to the RE (Residential Estate) District to allow for a three-lot Simple Subdivision. Located at 83 S 425 E, Shelbyville, Union Township.

SD 26-17 – LB RENOVATIONS SIMPLE SUBDIVISION: Simple Subdivision to create three single-family building lots (6-acres, 5.177-acres, 3.912-acres) and waivers of subdivision standards. Located at 83 S 425 E, Shelbyville, Union Township.

OLD BUSINESS

RZ 26-13 – KOVA FERTILIZER, INC. REZONING: Rezoning of 12-acres from the A1 (Conservation Agricultural) District to the A4 (Agricultural Commercial) District to allow for development of a fertilizer and agricultural supply distribution facility. Located at 4571 E Michigan Rd, Shelbyville, Liberty Township.

SD 26-12 – REED SIMPLE SUBDIVISION: Simple Subdivision of a 12-acre agricultural commercial lot from a 30.20-acre parent tract and waiver of subdivision standards. Located at 4571 E Michigan Rd, Shelbyville, Liberty Township.

NEW BUSINESS

RZ 26-14 – HOOSIER INVESTING, LLC REZONING: Rezoning of 5.49-acres from the RE (Residential Estate) District to the R1 (Single-Family Residential) District to allow for a three-lot Simple Subdivision. Located east of and adjoining 3925 W 500 N, Fairland, Brandywine Township.

SD 26-13 – EAST-HAUK SIMPLE SUBDIVISION: Simple Subdivision to create three single-family building lots (1.865-acres, 1.865-acres, 1.925-acres) and waivers of subdivision standards. Located east of and adjoining 3925 W 500 N, Fairland, Brandywine Township.

SD 26-14 – WEST-HAUK SIMPLE SUBDIVISION: Simple Subdivision to create a 3.31-acre single-family building lot and a 2.249-acre single-family building lot and waiver of subdivision standards. Located west of and adjoining 3925 W 500 N, Fairland, Brandywine Township.

RZ 26-15 – BURBRINK REZONING: Rezoning of 5-acres from the A1 (Conservation Agricultural) District to the RE (Residential Estate) District to allow for a one-lot Simple Subdivision. Located on the east side of CR 500 W,

approximately ½-mile north of Old State Rd. 252, Edinburgh, Jackson Township.

SD 26-15 – SWEET SIMPLE SUBDIVISION: Simple Subdivision of a 5-acre, single-family building lot from a 72.29-acre parent tract and waivers of subdivision standards. Located on the east side of CR 500 W, approximately ½-mile north of Old State Rd. 252, Edinburgh, Jackson Township.

SD 26-16 – RIGGS SIMPLE SUBDIVISION: Simple Subdivision of 7.078-acres into a 3.814-acre single-family building lot and a 3.264-acre lot including an existing single-family residence and waivers of subdivision standards. Located at 5599 N Brandywine Rd, Shelbyville, Brandywine Township.

RZ 26-16 – SCHWIER & CO. LLC REZONING: Rezoning of 6.9-acres from the A1 (Conservation Agricultural) District to the A2 (Agricultural) District, 6.5-acres from the A1 (Conservation Agricultural) District to the RE (Residential Estate) District, and 0.25-acres from the A1 (Conservation Agricultural) District to the IS (Institutional) District to allow for future development of three single-family building lots. Located at the southeast corner of CR 1100 N & CR 400 W, New Palestine, Moral Township.

RZ 26-17 – SCHWIER & CO. LLC REZONING: Rezoning of 5.41-acres from the A1 (Conservation Agricultural) District to the A2 (Agricultural) District and 4-acres from the A1 (Conservation Agricultural) District to the RE (Residential Estate) District to allow for future development of three single-family building lots. Located at the northeast corner of CR 1050 N & CR 400 W, New Palestine, Moral Township.

DISCUSSION

None.

ADJOURNMENT

The next regular meeting of the Shelby County Plan Commission is scheduled for Tuesday, **September 22, 2026**, 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/85821245146?pwd=oTgae4KGlaLIYGdBW1kduE5zbQnFpx.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

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

Jeremy Ruble, Member: Council Representative

Jeff Powell, Member: County Surveyor

Jenna Martin, Member: Appointed by County Commissioners, Term 1/1/26 – 1/1/30

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

In accordance with the **Americans with Disabilities Act**, if anyone wishes to attend the public meeting on the above referenced matter and is in need of reasonable accommodations in order to attend, hear, or present evidence at the public meeting on this matter, for accommodations contact the Shelby County Plan Commission 25 W Polk St, Shelbyville, IN 46176 317-392-6338

Property Details

Location: 4571 E Michigan Rd,
Shelbyville, Liberty Township.

Property Size: 12-acres.

Current Land Use: Agriculture /
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

A4 (Agricultural Commerical)

This district is established for commercial and industrial uses directly related to agriculture and compatible with rural/agricultural areas.

**see attached district intent, permitted uses, special exception uses, and development standards.*

Future Land Use per Comp Plan

Estate Residential

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.

Surrounding Development

	Zoning	Land Use
North	A1	Cropland
South	A1 / A2	Cropland / Cellular Communications Facility / Single- Family Residential
East	A2	Cropland / I-74
West	A1	Cropland

Staff Report

Case Number: RZ 26-13 / SD 26-12

Case Name: Kova Fertilizer, Inc. Rezoning – A1
(Conservation Agricultural) to A4
(Agricultural Commerical) & Reed Simple
Subdivision

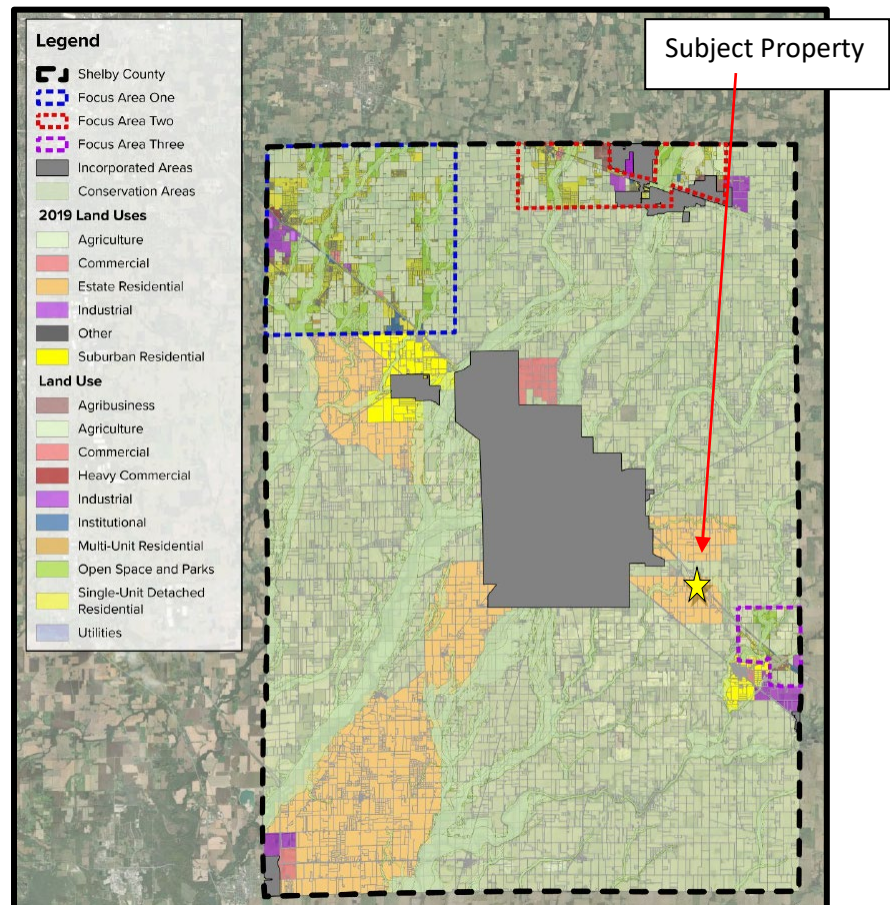
Requests

Rezoning of 12-acres from the A1 (Conservation Agricultural) District to the A4 (Agricultural Commerical) District to allow for development of a fertilizer and agricultural supply distribution facility.

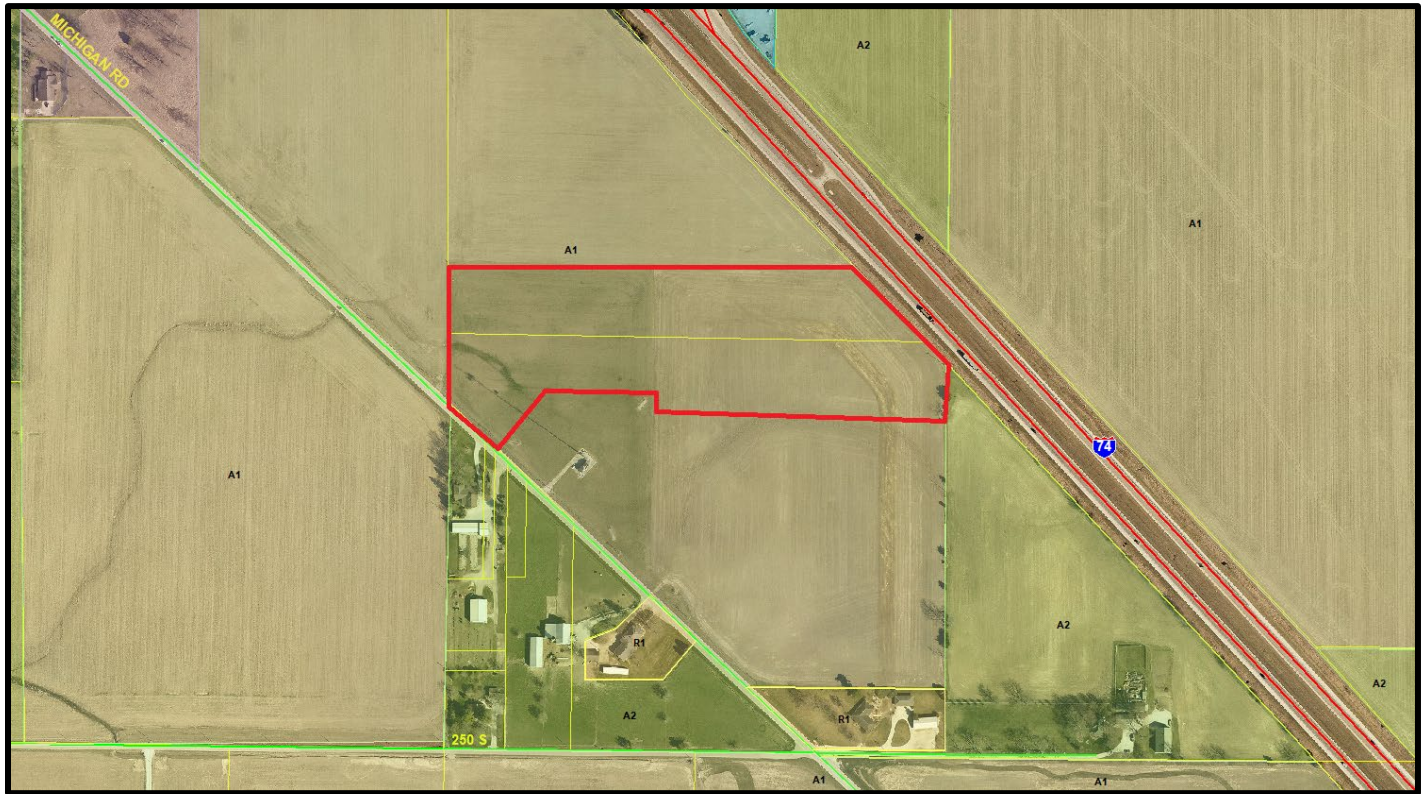
Simple Subdivision of a 12-acre agricultural commercial lot from a 30.20-acre parent tract.

Waiver of Simple Subdivision design standards to allow side lot lines not within a 15-degree angle to the right-of-way.

Future Land Use Map



Property Map



Case Description

- Kova Fertilizer currently has the subject property under contract for purchase and intends to develop the property for a fertilizer and agricultural supply distribution facility.
- Kova Fertilizer has provided agricultural services throughout the Midwest for several decades.
- Proposed development includes an office building, chemical facility and warehouse, fertilizer storage building, shop, septic system, detention area, paved driveway and parking area, and gravel yard. The petitioner indicated that the submitted site plan represents a conceptional plan for development which may change prior to application for permits.
- Notable development standards which would apply to the development include:
 - Enclosed structures must have similar finish and façade materials and be similar in color.
 - Landscape Buffer “A” required along the property lines: One (1) canopy tree and one (1) ornamental or evergreen tree shall be planted for every seventy (70) feet of contiguous boundary with the adjacent lot. Each tree shall be planted within twenty (20) feet of the property line, but no closer than five (5) feet to the property line.

- All site lighting must be full cut-off fixtures.
- The development would utilize a commercial septic system. The State Department of Health reviews plans for commercial septic systems.
- The property is located less than a mile from the I-74 / SR 244 interchange. The property has access to the interchange from Michigan Rd. INDOT classifies Michigan Rd. as a Major Collector, which can typically accommodate heavy traffic.
- The property adjoins cropland, a cellular communications facility, and I-74. Five single-family residential homesites are located within 1/3-mile of the property.
- Potential impacts of fertilizer/chemical storage and distribution to adjacent properties include increased truck traffic, noise and dust generated by truck traffic and on-site activities, chemical odor, air particulate, chemical spills, and safety concerns associated with storage of hazardous materials.
- The plat shows the Rosenfield Legal Drain tile easement terminating at the east property line and the drain tile running into the property. The legal description for the tile indicates that the tile runs across the property parallel to Michigan Rd. The County Surveyor will need to determine the actual tile location prior to development of the site.
- The plat references two easements that affect the property, an easement for underground utilities and incidental purposes in favor of Shelby County Rural Electric Membership Corporation and a Consent and Non-Disturbance agreement between previous property owners and Farm Credit Services of Mid-America, FLCA. Kova Fertilizer should determine if or how these easements would affect development of the site.
- The UDO only permits the proposed use in the A4 District. Only the A4 District allows for all uses which pertain to a fertilizer and agricultural supply distribution, including processing of agricultural products, sale of agricultural products, storage of agricultural products, and liquid fertilizer storage and distribution.
- The Site Plan/Technical Advisory Committee, which consists of the Planning Director, Health Department Environmental Technician, and a representative from the County Commissioners would review a detailed site plan prior to issuing construction permits. USI Consultants, Inc would review the drainage plans to ensure that the project complies with the County's Drainage & Sediment Control Ordinance.

Staff Analysis Findings of Fact

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 proposed zoning and development would not conflict with existing agricultural uses and development within the area.
- The property does not directly adjoin any residential properties.

- The UDO designates the adjacent A1 (Conservation Agricultural) and A2 (Agricultural) Districts as compatible districts with the A4 District.
- The UDO recommends use of the A4 District for new commercial and industrial development directly related to agricultural operations, compatible with the character of the area and adjacent to existing agricultural land.

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

- The property has access to the I-74 / SR 244 interchange by Collector Roads which can accommodate heavy traffic, which renders the property desirable for commercial distribution development.
- Approval of the rezoning would allow for development of a fertilizer and agricultural supply distribution facility to serve local farms.

3. The Conservation of Property Values throughout the Jurisdiction

- Agricultural commercial use of the property would not conflict with existing agricultural uses and development within the area.
- The current A1 District allows for agricultural uses that could pose similar impacts to nearby residential properties, including small confined feeding operations, storage of agricultural products, and bio-diesel production. The area currently experiences heavy traffic due to proximity to Michigan Rd, SR 244, and I-74. Therefore, commercial agricultural use of the property should not have a significant impact on surrounding residential property values.

4. Responsible Development and Growth

- The property has access to the I-74 / SR 244 interchange by Collector Roads which can accommodate heavy traffic.
- The proposed development must undergo County Site Plan/Technical Advisory Committee review and approval prior to construction.

5. The Comprehensive Plan

- The Comprehensive Plan identifies a key plan theme as 'enhance agribusiness expansion while protecting existing agricultural entities.' Approval of the rezoning would allow for agribusiness development, which provides a needed service to local agricultural entities promoting the growth and prosperity of local agriculture.

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, pending:
 - a. Approval of a waiver to allow side lot lines not within a 15-degree angle to the right-of-way.
 - i. The angle of the lot lines match the angle of the lots lines of nearby properties fronting upon Michigan Rd.

- b. Accurate identification of the Rosenfield Legal Drain tile easement.
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, Simple Subdivision, and Waiver** primarily because approval would allow for development of agribusiness serving the local agricultural community which would have convenient access to the I-74 / SR 244 interchange along a road which can accommodate heavy truck traffic.

Staff recommends the following **stipulation**:

1. Development of the site shall be consistent with the Site Plan submitted with the rezoning application. The Zoning Administrator shall have the discretion to require Plan Commission approval of any modification to the site plan.
2. The Rosenfield Legal Drain tile easement shall be accurately identified and documented on the plat. Any site work that may impact the easement or drain tile as determined by the County Surveyor shall require County Drainage Board review and approval.

Applicant/Owner Information

Applicant:	Kova Fertilzier, Inc. 1330 N Anderson Street Greensburg, IN 47240	Owner:	Raymond Todd Runnebohm 4571 E Michigan Rd. Shelbyville, IN 46176
Surveyor:	Christopher M. Cooper COOR Consulting & Land Services Corporation 303 West Main Street Knightstown, IN 46148	Attorney:	Jacob Brattain, McNeely Law LLP 2177 Intelliplex Drive, Ste. 251 Shelbyville, IN 46176

Agricultural Commercial (A4) District

Article
02

2.09 A4 District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
The A4 (Agricultural Commercial) District is intended to be used as follows: Use, Type and Intensity - Commercial and industrial uses directly related to agricultural operations and compatible with the character of the area Application of District - Existing or new development - Spot zoning adjacent to existing agricultural land Development Standards - Enact development standards to minimize the impacts on adjacent properties while encouraging economic vitality within the Agricultural Commercial District Appropriate Adjacent Districts - OP, A1, A2, A3, A4, RE, and IS Plan Commission - Use this zoning district for agricultural uses and other commercial and industrial uses that are supportive of agricultural operations - Protect the adjacent agricultural land and operations from uses that may conflict with their continued operation through the use of appropriate buffers and setbacks Board of Zoning Appeals - Protect the adjacent land and uses by through the use of appropriate buffers and setbacks - Be sensitive to the potential for water pollution and other negative impacts to nearby agricultural, residential, and commercial land	Accessory Permitted Uses - agricultural tourism Agricultural Permitted Uses - agricultural crop production - equestrian exercise facility - equestrian training facility - grain elevator - processing of agricultural products - raising of farm animals - sale of agricultural products - stable (private) - storage of agricultural products Commercial Permitted Uses - farm implement sales - farmers market - equestrian trailer sales - plant nursery - research laboratory - stable - tack shop - testing laboratory - tools/equipment sales/rental - veterinarian clinic/hospital - veterinarian supply Industrial Permitted Uses - bio-diesel production ≤ 5,000 gallons per year - food processing - heavy equipment repair - liquid fertilizer storage/distribution - outdoor storage - storage tanks (nonhazardous) - welding	Commercial Special Exception Uses kennel

July 8, 2026

Shelby County Plan Commission
25 W Poly Street, Room 201
Shelbyville, IN 46176*Re: Rezone Request for Shelby County Parcel # 73-11-13-200-002.000-011*

Dear Plan Commission Members:

This letter serves as a letter of intent for the proposed zoning map amendment for approximately 12.00 acres of Parcel Number: 73-11-13-200-002.000-011, as shown on the site plan submitted as part of the rezone application (the "Property"). McNeelyLaw LLP represents the prospective purchaser of the Property, Kova Fertilizer, Inc. ("Kova"). Kova is currently under contract to acquire the Property and wishes to rezone only the Property from the A1 to the A4 zoning district.

The Property is currently being used primarily for agricultural and farming uses and is zoned A-1. Kova desires to have the Property rezoned to A4, Agricultural Commercial, to accommodate modifications in the use of the Property. If approved, Kova will construct a fertilizer and agricultural supply distribution location.

To facilitate this proposed use of the Property, Kova believes a rezone from the current zoning classifications to A-4 would be most appropriate, because the A-4 district allows for "commercial and industrial uses directly related to agriculture and compatible with rural and agricultural areas." Specifically, the A-4 district permits uses for the "sale of agricultural products," "storage of agricultural products," and "liquid fertilizer storage and distribution." The proposed use is appropriate for the Property because it is in a largely rural area, adjacent to the interstate, and the proposed uses will be directly related to agriculture.

Kova is primarily located in Decatur County, Indiana and has been serving local farmers for more than seven decades. The proposed location would serve Shelby County farmers already being supplied by Kova, in a more convenient location that provides a direct benefit to Shelby County.

At this time, Kova is seeking a favorable recommendation to rezone the Property from its current A1 zoning to A4. The proposed A4 zoning designation is the most appropriate zoning designation for the Property and its proposed future uses.

Very truly yours,

McNeelyLaw LLP

Jacob S. Brattain

Jacob S. Brattain

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: Kova Fertilizer, Inc. by Jacob S. Brattain, McNeelyLaw LLP

Case #:

Location: 4571 E Michigan Road, Shelbyville, IN 46176

1. The request is consistent with the Shelby County Comprehensive Plan because: The Shelby County Comprehensive Plan states that agriculture will continue to have an important role in the county and that the county should find positive ways to support the need for measured growth while also enabling continued agricultural operations as an important need for the future of the county.
2. The request is consistent with the current conditions and the character of structures and uses in each district because: The proposed operations will be operated in agricultural-style buildings, consistent with those used to support other agricultural operations in the vicinity and throughout the County.
3. The request is consistent with the most desirable use for which the land in each district is adapted because: Shelby County recognizes that agriculture is an important part of our history and future, and this rezone will allow the Property to continue to be used for agricultural purposes and to support many local farmers.
4. The request is consistent with the conservation of property values throughout the jurisdiction because: Adjacent property values will not be diminished by the proposed use as it will continue to be agricultural in nature and because the surrounding area is primarily agricultural, the rezone will be consistent with adjacent uses.
5. The request is consistent with responsible growth and development because: The rezone will ensure that the agricultural nature of the Property is preserved and that no additional development inconsistent with agricultural districts occurs at the Property.

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?

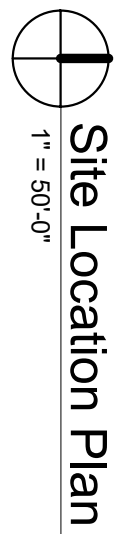
General Notes

ADA PARKING

[illegible]

182 N. State St.
Sparta, MI 49345
P: 616.887.7570

PC Aug 25, 2026
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4571 East Michigan Road
Shelbyville, IN 46176
Phone

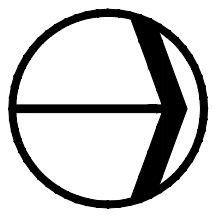
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LAGOS, KGV	
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Scale	As indicated
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Author

Rev/By	Checker
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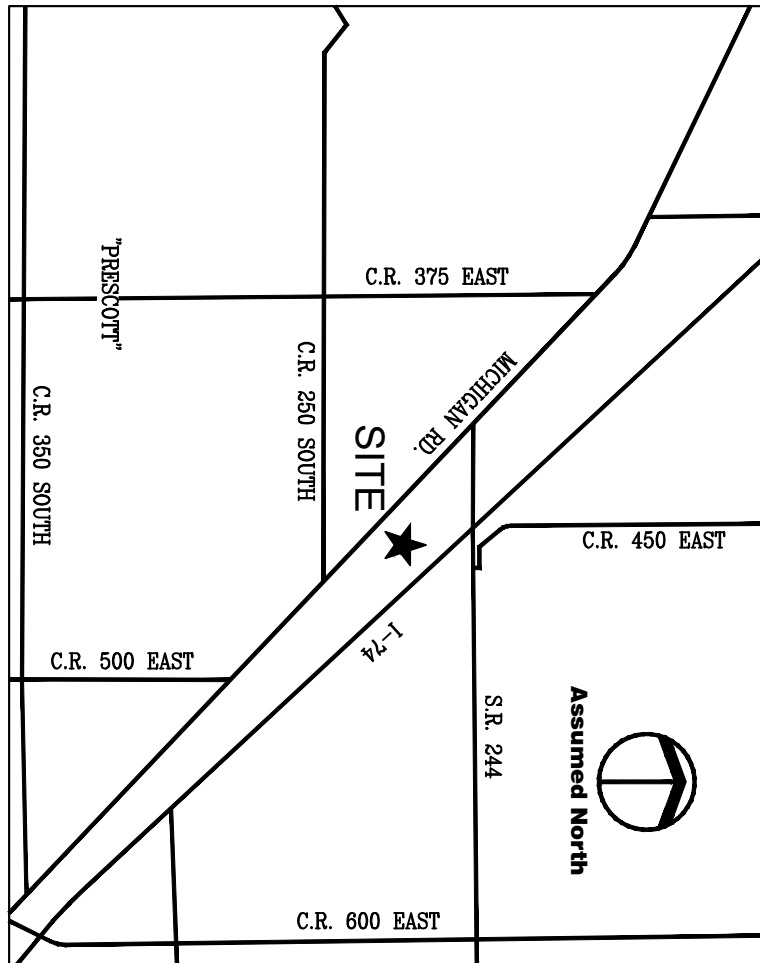


Assumed North

0 50 100 200
Scale: 1" = 100'

LEGEND:

- OVERHEAD UTILITY LINE
- FENCE
- UTILITY POLE
- 5/8" GALV ANCHOR
- ELECTRIC BOX
- TELEPHONE BOX
- TELEPHONE FEEDSTAIL
- "Mag" NAIL
- 5/8" CAPED REBAR SET
- MARKED "2x15 REBAR #0035"
- REBAR/PFE ROUND
- CORNER FENCE POST
- WAGERS 1/4 SECTION CORNER



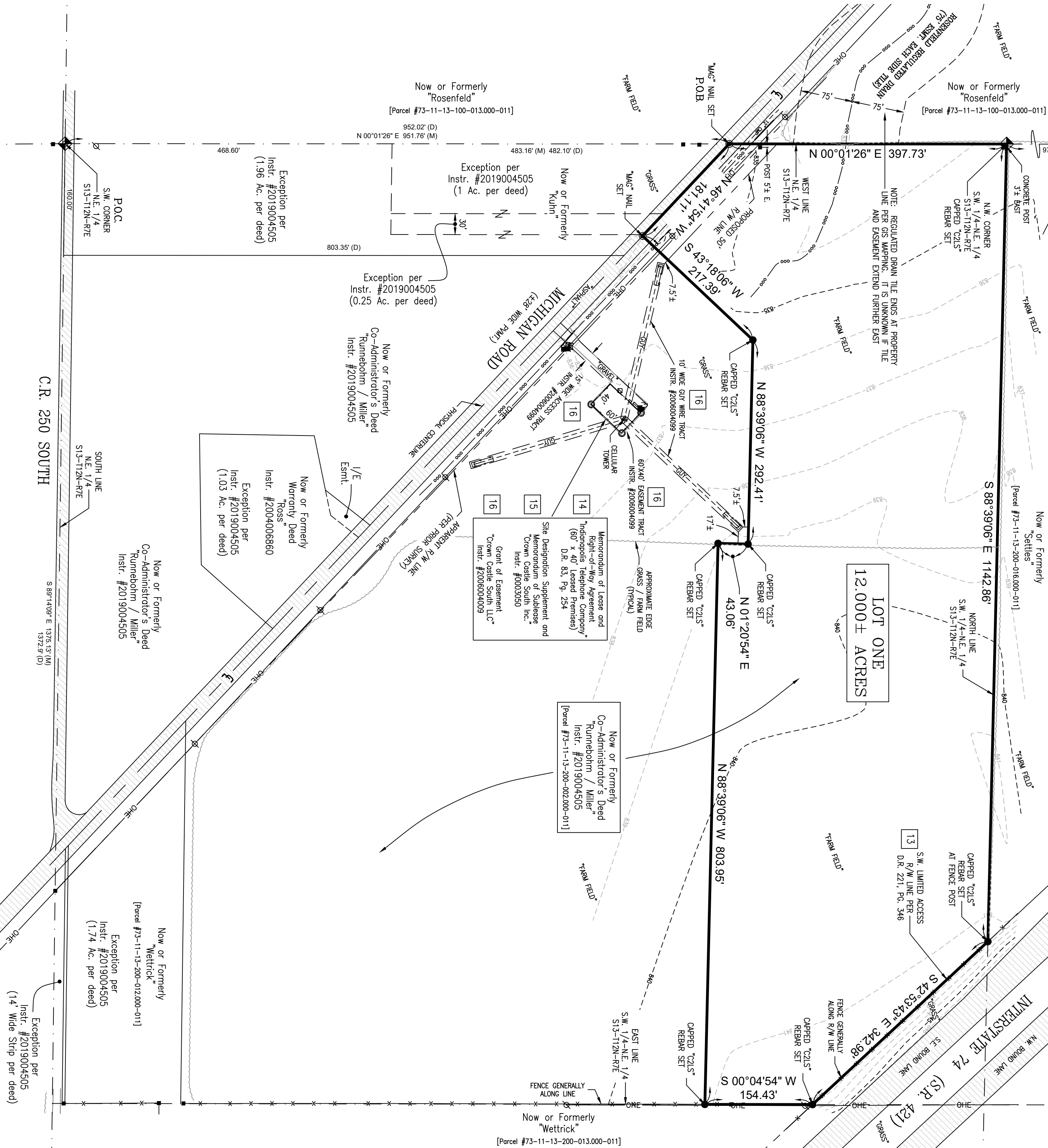
VICINITY MAP
(NOT TO SCALE)

Land Description Lot One
(A part of Instrument Number 2019004505)

The following land description was prepared on part of an Original Survey by Christopher M. Cooper, Professional Surveyor #21800010, of Coor Consulting & Land Services Corporation, per Job Number 2025-159, certified January 22, 2026, being a part of the Northeast Quarter of Section 13, Township 12 North, Range 7 East, in Liberty Township, Shelby County, Indiana, being more particularly described as follows:

COMMENCE at the Southwest corner of said Northeast Quarter Section, thence North 00 degrees 01 minutes 26 seconds East (bearing taken from the Indiana State Plane Coordinate System, East Zone, NAD 83) along the West line thereof 27.73 feet to a 1/4" iron nail set in the ground, thence North 00 degrees 01 minutes 26 seconds East along the West line thereof a distance of 397.73 feet to the Northwest corner of the Southwest Quarter of said Northeast Quarter, thence South 88 degrees 39 minutes 06 seconds East along the North line thereof a distance of 1142.86 feet to the Southwest right-of-way line of Interstate 74, thence South 42 degrees 53 minutes 43 seconds East along said right-of-way line a distance of 342.95 feet to the East line of the Southwest Quarter of said Northeast Quarter, thence North 00 degrees 01 minutes 26 seconds East along the West line thereof a distance of 154.43 feet, thence North 88 degrees 39 minutes 06 seconds West a distance of 803.95 feet, thence North 01 degrees 20 minutes 54 seconds East a distance of 43.06 feet, thence North 88 degrees 39 minutes 06 seconds West a distance of 292.41 feet, thence South 43 degrees 18 minutes 06 seconds East a distance of 217.39 feet to the physical centerline of said Michigan Road, thence North 46 degrees 41 minutes 54 seconds West along said physical centerline a distance of 181.11 feet to the POINT OF BEGINNING. Containing 12,000 acres, more or less.

A4 DISTRICT DEVELOPMENT STANDARDS:	
FRONT YARD SETBACK	50' MIN.
REAR YARD SETBACK (PRIMARY)	20' MIN.
REAR YARD SETBACK (SECONDARY)	20' MIN.
SIDE YARD SETBACK (PRIMARY)	40' MIN.
SIDE YARD SETBACK (SECONDARY)	20' MIN.
LOT AREA	2 AC. MIN.
LOT WIDTH	150' MIN.
LOT FRONTAGE	75' MIN.



FINAL PLAT FOR
REED SIMPLE SUBDIVISION

Surveyor's Report

General
In accordance with Title 85C, Article 1, Chapter 12 of the Indiana Administrative Code (Title 127), the following observations as a result of uncertainties in reference monumentation in record descriptions and plats, in lines of occupation, and as introduced by random errors in measurement ("Releive Positional Accuracy"). There may be unwritten rights associated with these uncertainties. The client should assume there is an amount of uncertainty along any line equal in magnitude to the discrepancy in the location of the line and possession from the surveying files.

There may be differences of deed dimensions versus measured dimensions along the boundary lines shown hereon and, likewise, there may be found survey markers near, but not precisely at, some boundary corners. In cases where the magnitude of these differences are less than the Releive Positional Accuracy stated below and less than the uncertainty identified for the reference monumentation (discussed below), the differences may be considered insignificant and are shown only for purposes of reference monumentation. In cases where the differences are greater than the Releive Positional Accuracy, the uncertainty in reference monumentation should be considered worthy of notice and are therefore further discussed below.

This survey and report are based in part upon opinions formed in accordance with an Indiana Land Surveyor's responsibility to conduct a survey in accordance with Federal laws, state and local laws, and court precedent. (85C) IC 1-12-1(5). Rules of the Indiana State Board of Registration for Land Surveyors). Since Indiana has no statutes addressing how to resolve boundary discrepancies based on principles derived from common law precedent, must be relied upon as the basis for a boundary resolution.

Unless otherwise noted or depicted hereon, there is no evidence of occupation along the perimeter lines of the subject tract. All survey monuments set or found this survey are flush with existing grade unless otherwise noted.

The Releive Positional Accuracy (due to random errors in measurement) of this survey is within the specifications for an Urban Cases Survey (0.07 feet plus 50 ppm) as defined in IC 85C.

Purpose

The purpose of this survey is to perform an ALTA/NSPS Land Title Survey on a 12 acre tract of land being subdivided from a parent tract described in Instrument Number 2019004505 in the Office of the Recorder of Shelby County, Indiana. The subject tract is located in the Northeast Quarter of Section 13, Township 12 North, Range 7 East, in Liberty Township, Shelby County, Indiana.

The following are plats or prior surveys made reference to in this survey:

An ALTA/NSPS Land Title Survey for Crown Castle, prepared by First Group Engineering Inc., dated March 13, 2006, last revised March 21, 2006, referenced in a Grant of Easement document recorded in Instrument Number 2006004099.

Base of Bearings

Bearings for this survey are based on the Indiana State Plane Coordinate System, East Zone, NAD 83. The parent deed of record is based on assumed bearing systems.

Theory of Location

Controlling Monumentation - Section Corners
Southwest corner of the Northwest Quarter of Section 13 - No monument found. A hole was found in the pavement and was utilized this survey. There is, in my opinion, up to 1 foot of uncertainty associated with the position of this corner.

Northwest corner of the Northwest Quarter of Section 13 - No monument found. There is, in my opinion, up to 1 foot of uncertainty associated with the position of this corner.

Southwest corner of the Northwest Quarter of Section 13 - No monument found. There is, in my opinion, up to 1 foot of uncertainty associated with the position of this corner.

Controlling Monumentation - Monumentation

A rebar was found (unknown origin) marking the intersection of the West line of said Northeast Quarter and the South right-of-way of Interstate 74 as shown hereon. There is, in my opinion, up to 0.25 feet of uncertainty associated with the position of this corner.

"Mag" nails and 5/8 inch capped rebar marked "2x15 REBAR #0035" were set at the corners of the subject tract as shown hereon.

There is, in my opinion, up to 1 foot of uncertainty with regards to monumentation.

Record Descriptions
Lines and corners of the Subject Tract were established based upon record deed bearings and distances, said record plats, controlling elements, and descriptions contained within the record descriptions as more particularly described below.

The perimeter lines of the subject tract were established as follows:

The West line is along the West line of the Northwest Quarter as established between the aforementioned Southwest corner of the Northwest Quarter and the Northwest corner of the Southwest Quarter of said Northeast Quarter. The North line is along the North line of the Southwest Quarter of said Northeast Quarter as established per an existing right-of-way fence. The East line is along the Southwest right-of-way of Interstate 74 as established per an existing right-of-way fence. The Southwest line was established per the physical centerline of Michigan Road as located this survey. The remaining corners were established per the clients request and direction to create a 12 acre tract.

There is, in my opinion, negligible uncertainty with regards to record descriptions.

Occupation

A concrete post was found 3 feet East of the Northwest corner of the Southwest Quarter of said Northeast Quarter (Northwest corner of subject tract) as shown hereon.

An existing fence was found to be generally along the Southwest right-of-way of Interstate 74 as shown hereon.

An existing fence was found to be generally along the East line of the Southwest Quarter of said Northeast Quarter (East line of subject tract) as shown hereon.

An overhead utility line was found along the East line of the subject tract and along the Northeast right-of-way of Michigan Road as shown hereon.

There is, in my opinion, up to 3 feet of uncertainty with regards to occupation.

Ownership information indicated hereon is as identified in County or Township records or on title work provided by others.

Flood Note

The accuracy of any flood hazard data shown on this report is subject to map scale uncertainty and to any other uncertainties in location or elevation on the referenced Flood Insurance Rate Map. The within described tracts of land lie within Flood Hazard Zone V1-30, as shown on the Flood Insurance Rate Map for Shelby County, Indiana (maps dated June 20, 2024).

Utility Note

This survey reflects above ground indications of utilities and information available from utility companies. The surveyor makes no guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated, although he does warrant that the utilities are located as accurately as possible from the information available. The surveyor has not physically located the underground utilities.

Summary of Table "A" Items

- No information provided at the date of this survey.
- Reference Utility Note.
- No evidence of current earth moving work, building construction or building additions was observed on the subject tract at the date of this survey.
- No evidence of changes in street right-of-way lines was observed at the date of this survey.

Summary of Items per Schedule B, Part II - Exceptions of the Title Commitment
Items 1-9, 11, 12, and 16 may affect the subject tract, however, are not admissible hereon.

10. Rights of the public, the State of Indiana, and County of Shelby and the municipality in and to that part of the land taken or used for Michigan Road and County Road 250 South. Right-of-way for Michigan Road affects the Southwest portion of the subject tract as shown hereon.

13. Any limitation on access to and from the land across the limited access right of the way SR 421 abutting the land as set forth in Right-of-Way Grant to the State of Indiana as Project No. 05-3, Sec. 26 recorded March 21, 1959 in Deed Record 221, Page 346. Limited Access right-of-way affects the Eastern side of the subject tract as shown and referenced hereon.

14. Terms and provisions of Lease and Right-of-Way Agreement by and between Raymond J. Runnebohm, lessor, and Indianapolis Telephone Company, lessee, dated July 10, 1992, memorandum thereof, recorded July 30, 1992 in Memorandums Record 83, Page 254. Lease Premises is located South of the subject tract as shown hereon. The term of the Agreement began September 1, 1992 and ends 5 years thereafter, unless extended for up to 4 additional 5-year periods. This Agreement may have expired based on the aforementioned dates.

15. Site Designation Supplement and Memorandum of Sublease by and between Westel-Indianapolis Company, as successor to Indianapolis Telephone Company, lessor, dated July 10, 1992, memorandum thereof, recorded July 30, 1992 in Memorandums Record 83, Page 254. Lease Premises is located South of the subject tract as shown hereon. The term of the Agreement began September 1, 1992 and ends 5 years thereafter, unless extended for up to 4 additional 5-year periods. This Agreement may have expired based on the aforementioned dates.

2000 as Instrument No. 0003050, and the terms and provisions thereof. This is a sublease of the aforementioned Lease and Right-of-Way Agreement, as recorded in M.R. 83, Pg. 254 and is subject to the same expiration dates.

16. Terms and provisions of Grant of Easement by and between Raymond J. Runnebohm and Crown Castle South LLC dated May 12, 2006, and recorded June 12, 2006 as Instrument No. 2006004099. Grant of Easement is located South of the subject tract as shown hereon.

17. Easement for underground utilities and related purposes in favor of Shelby County Rural Electric Membership Corporation, its successors and assigns, and from Grant of Easement by and between Raymond J. Runnebohm and Crown Castle South LLC dated May 12, 2006, and recorded June 12, 2006 as Instrument No. 2006004099. Easement is located South of the subject tract as shown hereon.

19. Terms and provisions of Consent and Non-Disturbance agreement by and between Raymond J. Runnebohm and Sandra S. Runnebohm, husband and wife and Crown Castle Services of Mid-America, LLC, dated May 6, 2006, and recorded June 12, 2006 as Instrument No. 2006004100. Easement is located South of the subject tract as shown hereon.

Title Commitment

Evidence of source of title for the subject tract was provided in the form of a Commitment For The Insurance Issued by Chicago Title Insurance Company, New York Title Group, as issuing agent, Commitment Number IN2517070, dated October 15, 2025 of 1200 WL. Some of the items disclosed in Schedule B thereof may have been depicted on the survey and are identified by the recording date. Should any additional items need to be depicted on the survey please advise and provide the appropriate documentation.

Certificate of Survey

To the best of my knowledge and belief, the within survey represents a survey made under my supervision in accordance with Title 85C, Article 1, Chapter 12 of the Indiana Administrative Code. The fieldwork was completed on December 31, 2025 using standard surveying techniques.

ALTA/NSPS Land Title Survey

19. Runnebohm Land Runnebohm-Kron-Feltner, Inc., an Indiana corporation, New North Title Group LLC and Chicago Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 9(a), 8, 11(a), 13, 16 and 17 of Table A thereof. The fieldwork was completed on December 31, 2025.

Date of Plat or Map: July 13, 2025

Christopher M. Cooper
Professional Surveyor #21800010
E-Mail: cooper@coorconsulting.com

Reduction Statement

I affirm, under the penalties for perjury, that I have taken reasonable care to read each Social Security number in this document, unless required by law. Christopher M. Cooper
This instrument was prepared by Christopher M. Cooper.

OWNERSHIP CERTIFICATE

We, _____ of Shelby County, Indiana, do hereby certify that we are the owners of the property described in the above captioned and that as such owners have caused the property to be surveyed and subdivided as shown on the hereon drawn plat, as our own free and voluntary act and deed.

Owner, Name _____ (Said)

Owner, Name _____ (Said)

State of Indiana }
County of _____ }

I, _____, a Notary Public in and for said County and State, do hereby certify that

personally known to me to be the same persons whose names are subscribed to the above certificate appeared before me this day in person and acknowledge 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 notorial seal this _____ day of _____

Notary Public _____ (Said)

NOTES

- Lot One is being rezoned to A4 (Agricultural Commercial) from A1 (Conservation Agricultural) zoning.

The rezoning was approved on _____ per Ordinance No. _____ by the Commissioners of Shelby County.

- A wetter is being requested to allow lot lines not within a 15-degree angle to the right-of-way.

PLAT COMMISSION APPROVAL

Approved by the Shelby County Commission in accordance with all applicable Subdivision Regulations.

By: _____ Date: _____

Secretary, Megan Hart _____ Date: _____

REVISIONS

DATE	DESCRIPTION	BY
------	-------------	----

coor
consulting & land services
corporation

303 West Main Street, Knightstown, Indiana 46148
765-345-5943 www.coorconsulting.com

A PART OF THE S.W. 1/4 OF THE N.E. 1/4 OF
SECTION 13, TOWNSHIP 12 NORTH, RANGE 7 EAST
LIBERTY TOWNSHIP, SHELBY COUNTY, INDIANA

ORIGINAL BOUNDARY SURVEY
CLIENT: STUART REED
SITE ADDRESS: 4571 EAST MICHIGAN ROAD, SHELBYVILLE, IN 46176

This drawing along with the concepts, ideas, and designs are the exclusive intellectual property of Coor Consulting & Land Services, Corporation. Any use or reproduction in whole or in part shall not be achieved or performed without the written consent of Coor Consulting & Land Services, Corporation.

DRAWN BY	MTL
CHECKED BY	CMC
DATE	JUL 13, 2026
SCALE	AS SHOWN
SHEET	1

ORIGINAL
BOUNDARY SURVEY
© 2026

Property Details

Location: East of and adjoining 3925 W 500 N, Fairland, Brandywine Township.

Property Size: 5.66-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

R1 (Single-Family Residential)

Intent: *This district is established for single-family detached, medium to large sized homes on medium to large sized lots.*

Plan Commission: *Use this zoning district for existing developments and carefully for new residential development.*

Future Land Use per Comp Plan

Suburban Residential

This purpose of this category is for the transition of land use from agricultural and estate residential uses to low to medium-density, single-family residential subdivisions as water and sewer facilities become available.

Surrounding Development

	Zoning	Land Use
North	RE	Estate Residential
South	RE	Estate Residential
East	R1	Single-Family Residential
West	R1	Single-Family Residential

Staff Report

Case Number: RZ 26-14 / SD 26-13

Case Name: Hoosier Investing, LLC Rezoning – RE (Residential Estate) to R1 (Single-Family Residential) & East-Hauk Simple Subdivision

Requests

Rezoning of 5.49-acres from the RE (Residential Estate) District to the R1 (Single-Family Residential) District to allow for a three-lot Simple Subdivision.

Simple Subdivision to create three single-family building lots (1.865-acres, 1.865-acres, 1.925-acres).

Waivers Simple Subdivision prerequisites to allow:

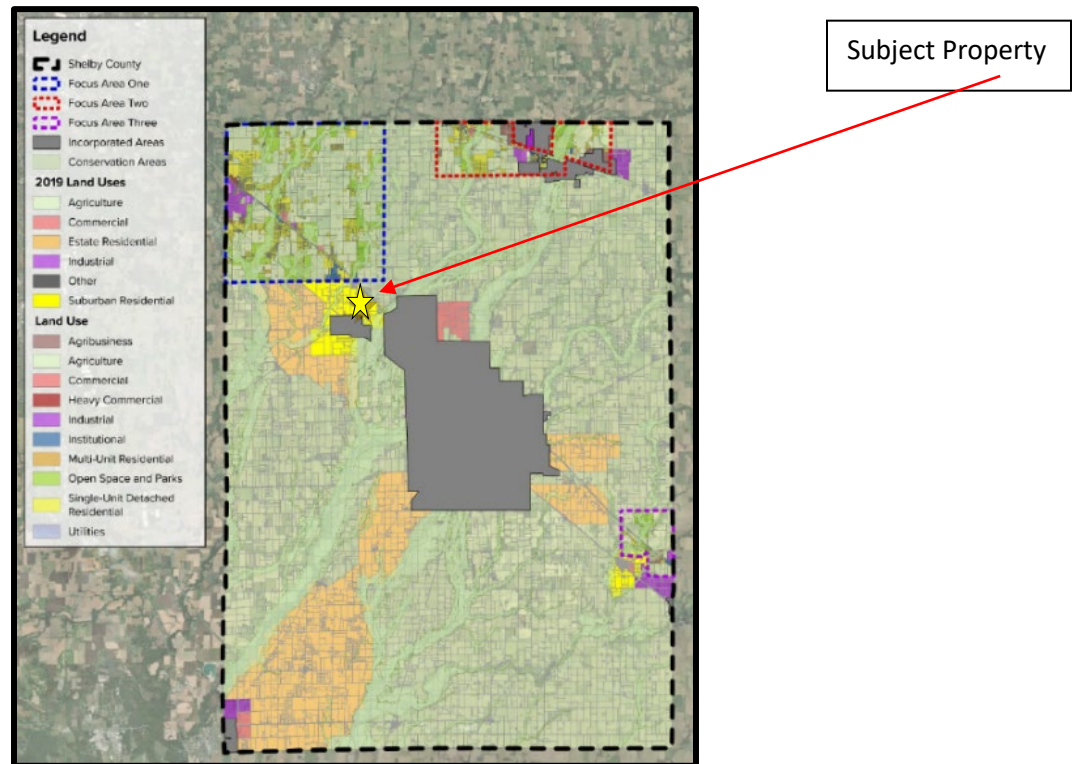
1. Simple Subdivision of a parent tract under 6-acre.
2. Simple Subdivision of property zoned R1.

Purpose of Subdivision Code Requirement

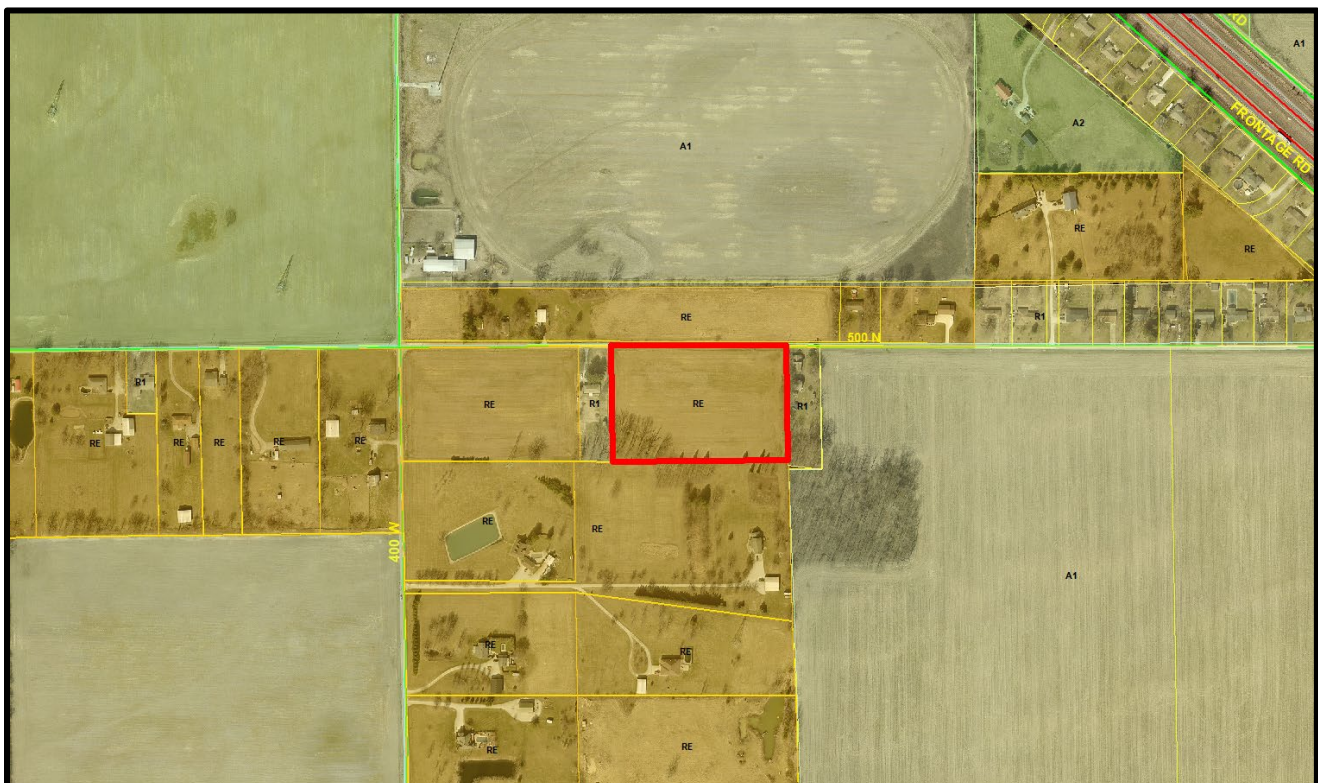
The UDO limits the size of the parent tract to at least 6-acres to discourage re-subdivision of 5-acre tracts. Prior to 1999, the County exempted land subdivided into tracts 5-acres or more from platting requirements, which resulted in the creation of an abundance of 5-acre tracts throughout the County.

The UDO restricts residential zoning in Simple Subdivisions to the RE (Residential Estate) District, which prohibits lots less than two-acres, to maintain low density residential development in rural areas. The requirement also allows for adequate lot size for installation of a septic system, and adequate area for a new septic system in the case of septic system failure.

Future Land Use Map



Property Map



Case Description

- Approval of the requests would allow for development of three single-family residential building lots. Proposed Lot 1 is 1.865-acres, proposed Lot 2 is 1.865-acres, and proposed Lot 3 is 1.925-acres.
- Each lot has direct access to CR 500 N.
- Soil tests show that each lot can accommodate a septic system with perimeter drain.
- Proposed Drainage Plan
 - Perimeter drains for each lot would outlet into a new drainage tile located along the rear property lines of the lots. Water would move through the tile to the west.
 - The drainage tile would outlet to an existing 5" tile which runs from the southwest corner of Lot 1 through the adjacent property to the west.
 - The portion of the new tile shared by the lots would be located within a 20-foot drainage and utility easement. Per the requirements of the UDO, the plat includes a note *The Drainage Easement shall allow access by the lot owners, County Surveyor, and County Drainage Board for the purpose of widening, deepening, sloping, improving, maintaining, replacing tile, or protecting drainage swale or subsurface tile.*
 - Development of the property would not redirect the existing flow of water, which currently runs off the property to the southwest. However, discontinuation of use of the property for crop production may reduce the runoff rate.
- The petitioner has requested a waiver to allow for R1 zoning in order to subdivide the property into three lots under 2-acres. The current RE zoning would allow for subdivision of the property into two lots.
- The petitioner also owns adjacent property to the west and plans to subdivide that property into two building lots (see Staff Report for SD 26-14). Approval of both requests would allow for development of five building lots.
- The property lies approximately ½-mile north of the Town of Fairland. The immediately adjacent area includes residential estate lots ranging in size from 2-acres to 6-acres and two single-family lots under 2-acres. The surrounding area also includes single-family residential lots under 2-acres.
- 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 any 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

Development of three single-family residential building lots under 2-acres would not conflict with development in the area. The immediately adjacent area includes two single-family lots zoned R1 under 2-acres. The surrounding area also includes single-family residential lots zoned R1 under 2-acres.

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

The property has access to nearby services within the Town of Fairland and Triton Schools which renders the property desirable for development of multiple homesites.

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

Considerations Supporting Approval:

- 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 any new single-family residence.
- The size of the lots would not deviate significantly from the minimum 2-acre lot size requirement for properties in the current RE District.
- Several sources indicate that the United States currently has a housing shortage. Locally, realtors have cited a significant housing shortage, especially in the rural areas of Shelby County.

Considerations Supporting Denial: Development of three lots concurrently with development of two lots to the west would have a more significant impact on nearby roads and drainage infrastructure than intended for Simple Subdivisions, which do not exceed three lots. Major subdivision requirements, which allow for subdivision of property into more than three lots, require an engineered drainage plan to mitigate impacts to surrounding drainage infrastructure and an internal road to limit curb cuts onto the County road, thereby protecting the safety of the traveling public.

5. The Comprehensive Plan

Approval of the rezoning would allow for low to medium density residential development as recommended for Suburban Residential 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, pending approval of a waivers to allow Simple Subdivision of a parent tract under 6-acres and of property zoned R1.

- a. Approval of the waivers would allow for development of multiple single-family homesites with access to nearby services within the Town of Fairland and Triton Schools, and for suburban residential development as recommended by the Comprehensive Plan.
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 approval would allow for development of multiple single-family homesites with access to nearby services within the Town of Fairland and Triton Schools, and for suburban residential development as recommended by the Comprehensive Plan.

Applicant/Owner Information

Applicant:	Hoosier Investing, LLC 6679 N 400 W Fairland, IN 46126	Surveyor:	Powell Land Surveying LLC 4634 N 575 E Shelbyville, IN 46176
Owner:	Same		

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: Hoosier Investing, LLC

Case #: _____

Location: 0 W 500 N (Parcel 7306101000030000004)

1. The request **is** consistent with the Shelby County Comprehensive Plan because: R1 Zoning allows for single family residence
2. The request **is** consistent with the current conditions and the character of structures and uses in each district because: Subject property is in a residential area with properties on W 500 N ranging from .50 acres to 1.65 acres east of CR N 400 W
3. The request **is** consistent with the most desirable use for which the land in each district is adapted because: Single family residence's ranging from .50 acre lots to 1.65 acre lots on CR 500 N (east of 400 W)
4. The request **is** consistent with the conservation of property values throughout the jurisdiction because: Creating 1.83 acres lots in a desirable area for one single family residence each will improve value as a buildable lot versus farm ground.
5. The request **is** consistent with responsible growth and development because: There is a high demand for housing in the Northwestern Consolidated school district with an exponential number of students that live outside the district.

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?



Property Details

Location: West of and adjoining 3925 W 500 N, Fairland, Brandywine Township.

Property Size: 5.56-acres.

Current Land Use: Cropland.

Current 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

Suburban Residential

This purpose of this category is for the transition of land use from agricultural and estate residential uses to low to medium-density, single-family residential subdivisions as water and sewer facilities become available.

Surrounding Development

	Zoning	Land Use
North	RE	Estate Residential
South	RE	Estate Residential
East	R1	Single-Family Residential
West	RE	Estate Residential

Staff Report

Case Number: SD 26-14

Case Name: West-Hauk Simple Subdivision

Requests

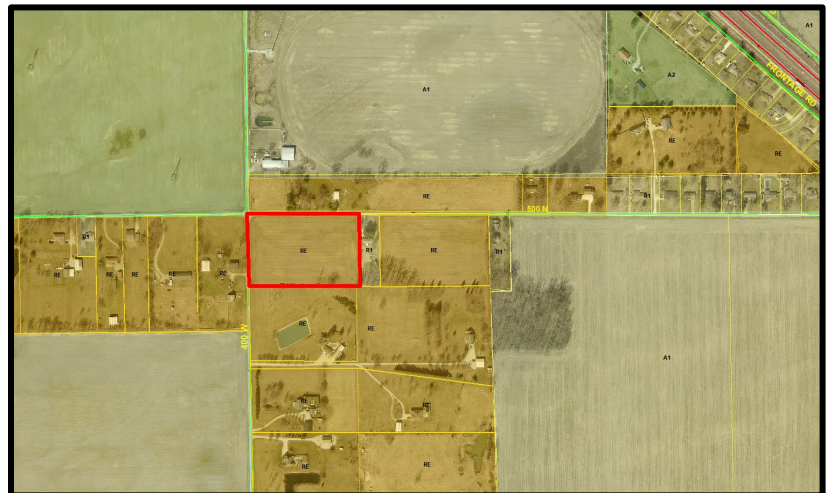
Simple Subdivision to create a 3.31-acre single-family building lot and a 2.249-acre single-family building lot.

Waiver Simple Subdivision prerequisites to allow Simple Subdivision of a parent tract under 6-acre.

Purpose of Subdivision Code Requirement

The UDO limits the size of the parent tract to at least 6-acres to discourage re-subdivision of 5-acre tracts. Prior to 1999, the County exempted land subdivided into tracts 5-acres or more from platting requirements, which resulted in the creation of an abundance of 5-acre tracts throughout the County.

Property Map



Case Description

- Approval of the requests would allow for development of a 3.31-acre single-family building lot (Lot 1) and a 2.249-acre single-family building lot (Lot 2).
- Lot 1 has direct access to CR 500 N and CR 400 W. Lot 2 has direct access to CR 500 N.
- A 200-foot-wide overhead power transmission line easement intersects Lot 1. The easement and setback lines limit the buildable area of the lot to approximately one acre.
- Due to the restrictions posed by the overhead power transmission line easement, the petitioner has chosen to request subdivision of the property into two lots rather than three lots. The two lots would comply with all standards for the RE District.
- Soil tests show that each lot can accommodate a septic system with perimeter drain.
- Proposed Drainage Plan
 - Perimeter drains for each lot would outlet into a new drainage tile located along the transmission line easement and rear property line of Lot 2.
 - The drainage tile would connect into a 5" tile which runs from the rear property line of Lot 2 through the adjacent property to the south.
 - The portion of the new tile shared by the lots would be located within a 20-foot drainage and utility easement. Per the requirements of the UDO, the plat includes a note *The Drainage Easement shall allow access by the lot owners, County Surveyor, and County Drainage Board for the purpose of widening, deepening, sloping, improving, maintaining, replacing tile, or protecting drainage swale or subsurface tile.*
 - Development of the property would not redirect the existing flow of water, which currently runs off the property to the southwest. However, discontinuation of use of the property for crop production may reduce the runoff rate.
- The petitioner also owns adjacent property to the east and plans to subdivide that property into three building lots (see Staff Report for RZ 26-14 / SD 26-13). Approval of both requests would allow for development of five building lots.
- The property lies approximately ½-mile north of the Town of Fairland. The immediately adjacent area includes residential estate lots ranging in size from 2-acres to 6-acres.
- 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 any new single-family residence.

Staff Analysis Findings of Fact

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, pending approval of a waiver to allow Simple Subdivision of property zoned R1.
 - a. Approval of the waiver would allow for development of multiple single-family homesites with access to nearby services within the Town of Fairland and Triton Schools, and for suburban residential development as recommended by the Comprehensive Plan.
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** primarily because approval would allow for development of multiple single-family homesites with access to services nearby within the Town of Fairland and Triton Schools, and for suburban residential development as recommended by the Comprehensive Plan.

Applicant/Owner Information

Applicant:	Hoosier Investing, LLC 6679 N 400 W Fairland, IN 46126	Surveyor:	Powell Land Surveying LLC 4634 N 575 E Shelbyville, IN 46176
Owner:	Same		



Property Details

Location: East side of CR 500 W, approximately ½-mile north of Old State Rd. 252, Edinburgh, Jackson Township.

Property Size: 5-acres.

Current Land Use: Natural Resources

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

Estate Residential

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.

Surrounding Development

	Zoning	Land Use
North	A1	Natural Resources
South	A1	Natural Resources
East	A1	Natural Resources
West	A1	Cropland

Staff Report

Case Number: RZ 26-15 / SD 26-15

Case Name: Burbrink Rezoning – A1 (Conservation Agricultural) to RE (Residential Estate) & Sweet Simple Subdivision

Requests

Rezoning of 5-acres from the A1 (Conservation Agricultural) District to the RE (Residential Estate) District to allow for a one-lot Simple Subdivision.

Simple Subdivision of a 5-acre, single-family building lot from a 72.29-acre parent tract.

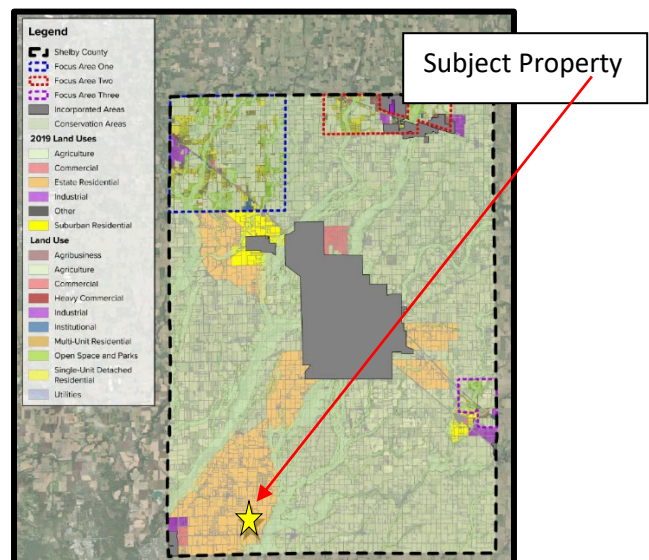
Waivers of Simple Subdivision design standards to allow a lot:

- Without 160-feet of road frontage;
- Without frontage on a public street built to County street standards.

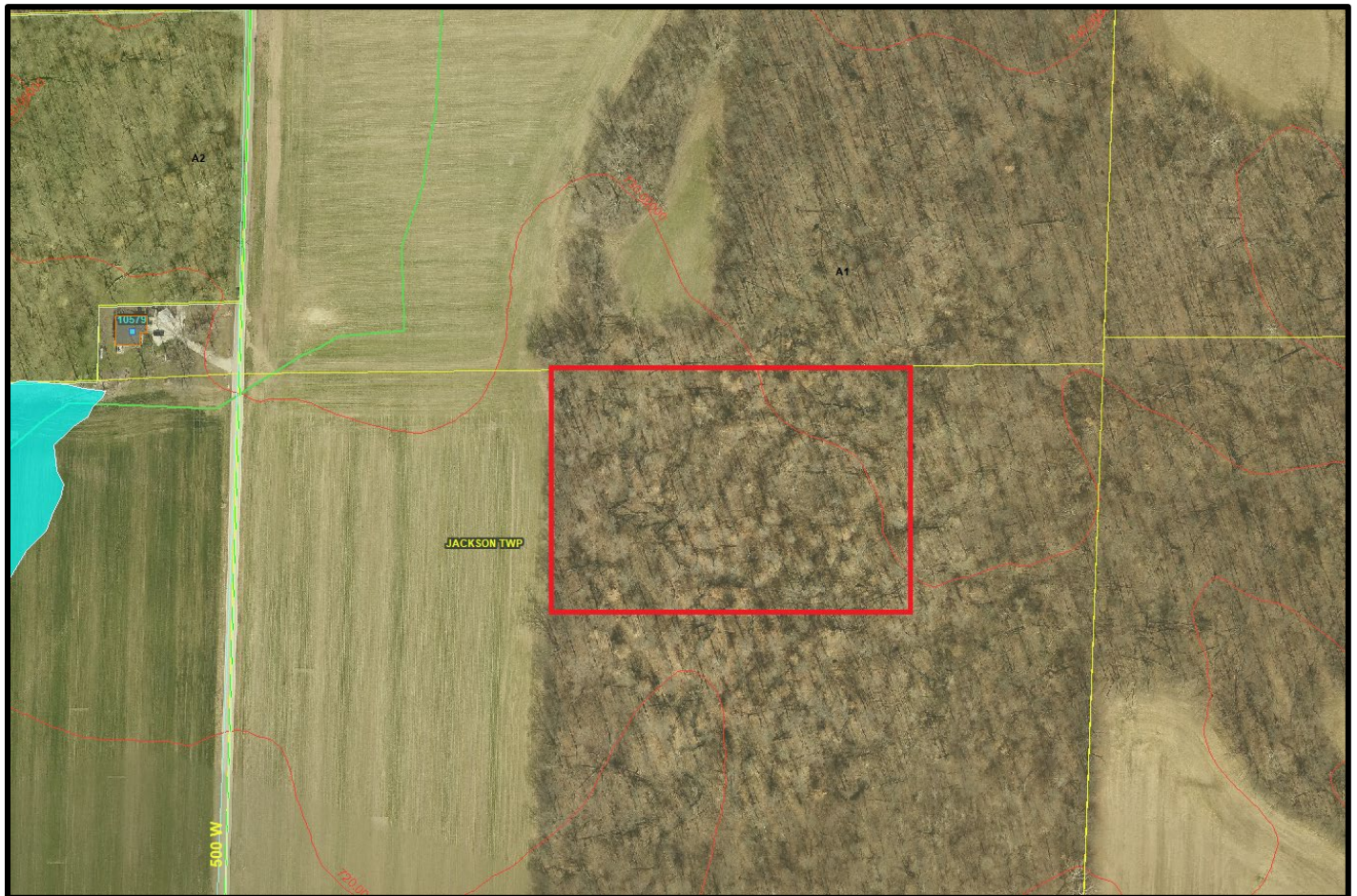
Purpose of Subdivision Code Requirement

The UDO requires that lots have frontage on a public road to eliminate future disputes over the rights to use a private access easement, to ensure clear visibility of the lot to visitors and emergency vehicles from the public road, and to promote orderly development.

Future Land Use Map



Property Map



Case Description

- Approval of the requests would allow for development of one, 5-acre single-family residential building lot.
- The property lies within an area relatively isolated from other development.
- The property does not have frontage on a public road. However, the plat shows a 40-foot-wide ingress/egress/utility easement, at a length of 504-feet, providing access to the property from CR 500 W over adjacent property currently owned by the petitioner.
 - The plat includes a note that *an ingress and egress easement instrument in favor of Lot 1 shall be reviewed and approved by the Planning Director and recorded prior to development of Lot 1* (see minimum requirements for the easement agreement at bottom of Staff Report).
 - The driveway qualifies as a long driveway per the UDO due to the length of the driveway exceeding 200-feet. The plat includes the following notes:

- *The driveway shall comply with Section 5.19 E: Long Driveways of the Shelby County Unified Development Ordinance.* Section 5.19 E: Long Driveways of the UDO requires:
 - A loop or turn-around at the end of the driveway to accommodate a 30-foot-long vehicle.
 - Driveway surface, culverts, and bridges designed to accommodate a 30,000 lb. vehicle.
 - No loop or curve that restricts movement of a 45-foot-long vehicle.
 - No obstructions preventing a 45-foot-long vehicle 12-feet in height from traversing the driveway.
- *A 911 Address Sign that is 6"x18" or larger, double-sided, and reflective identifying the address of Lot 1 shall be installed adjacent to CR 500 W prior to development of Lot 1.*
- Historically, Staff has not recommended approval of petitions including properties without road frontage due to the problems associated with use of access easements (see purpose of subdivision code requirement section of Staff Report). However, the easement and driveway requirements included on the plat address these concerns. Additionally, the easement and driveway requirements are consistent with the proposed revisions to the County subdivision regulations reviewed and approved by the Plan Commission in 2025.
- The driveway would not comply with the minimum 60-foot separation requirement from the driveway on the opposite side of CR 500 W. The petitioner intends to apply for a variance from this requirement if the County Highway Department determines that the location of the driveway will not pose a safety hazard. Absent approval of a variance, the petitioner has the option to submit a minor revision to the plat for administrative approval to relocate the access easement.
- 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

Existing wooded area would screen development of the property from adjacent properties and the public road. Therefore, development of the property would not impact the character of the area.

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

The forested condition of the property renders the property desirable for residential development.

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

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

Single-family residential development of a five-acre lot would not conflict with estate residential development recommended for the area 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, pending waivers to allow a lot without 160-feet of road frontage and without frontage on a public street built to County street standards.
 - a. The plat includes adequate provisions to ensure access to the property and maintenance of the driveway.
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 single-family residential development of a five-acre lot would not conflict with estate residential development recommended for the area by the Comprehensive Plan.

Applicant/Owner Information

Applicant:	Michael A Burbrink 4567 W 700 S Shelbyville, IN 46176	Surveyor:	Scott T Sumerford 3149 N Riley Hwy. Shelbyville, IN 46176
Owner:	Same		

Minimum Requirements for Easement Agreement

1. Be cross-referenced to the Simple Subdivision plat which the easement is associated;
2. Grant the grantee the right to access the easement for purposes of accessing their lot;
3. Specify the grantee's financial responsibilities with respect to the alteration, repair, maintenance, and removal of the improvements;
4. Prohibit the grantee or any other person from placing any obstruction within the easement;
5. Be binding on all heirs, successors, and assigns to the property on which the easement is located;
6. Be enforceable by the parties to the easement and the County;
7. Specify any other specially affected persons and classes of specially affected persons that are entitled to enforce the easement;
8. Provide for modification or termination in any manner stipulated by the Plan Commission;
9. Be cross-referenced to the most recently recorded deeds to the properties where the easement is to be established;
10. Include a metes and bounds description of the easement;
11. Be signed by a duly authorized representative of each property owner of record granting the easement and by duly authorized representatives of each property owner accepting the easement.

Property Details

Location: 5599 N Brandywine Rd,
Shelbyville, Brandywine Township.

Property Size: 7.078-acres.

Current Land Use: Estate
Residential

Current 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	R1	Single-Family Residential
East	RE	Estate Residential
West	RE	Estate Residential

Staff Report

Case Number: SD 26-16

Case Name: Riggs Simple Subdivision

Request

Simple Subdivision of 7.078-acres into a 3.814-acre single-family building lot and a 3.264-acre lot including an existing single-family residence.

Waivers of Simple Subdivision design standards to allow a lot:

1. Without 160 feet of road frontage;
2. Without frontage on a public street built to County street standards.

Purpose of Subdivision Code Requirement

The UDO requires that lots have frontage on a public road to eliminate future disputes over the rights to use a private access easement, to ensure clear visibility of the lot to visitors and emergency vehicles from the public road, and to promote orderly development.

Property Map



Case Description

- Approval of the request would allow for development of one, 3.814-acre single-family residential building lot. The second lot would include the current residence of the petitioner.
- The petitioner has requested the subdivision in order to sell the existing single-family homesite and retain the farmland for potential future development.
- The lot with the existing single-family residence would not have road frontage. The plat shows access to the property through a 50-foot-wide ingress/egress/utility easement, at a length of 375.19-feet, over the existing driveway that currently serves the residence.
 - The plat includes a note that *an ingress and egress easement instrument in favor of Lot 1 (lot with existing residence) shall be reviewed and approved by the Planning Director and recorded prior to development of Lot 2 (see minimum requirements for the easement agreement at bottom of Staff Report).*
 - The driveway may also provide access to the new building lot. The plat includes a note that *the driveway providing access to Lot 1 shall not be shared with Lot 2 (new building lot) unless the driveway is upgraded in compliance with all standards applicable to shared driveways.*
 - The existing driveway qualifies as a long driveway per the UDO due to the length of the driveway exceeding 200-feet. However, the driveway existed prior to adoption of standards regulating long driveways.
 - Historically, Staff has not recommended approval of petitions including properties without road frontage due to the problems associated with use of access easements (see purpose of subdivision code requirement section of Staff Report). However, the easement and driveway requirements included on the plat address these concerns. Additionally, the easement and driveway requirements are consistent with the proposed revisions to the County subdivision regulations reviewed and approved by the Plan Commission in 2025.
- The properties lies within a single-family residential neighborhood consisting of lots ranging in size from 1.25-acres to 10-acres.

Staff Analysis Findings of Fact

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 waivers to allow a lot without 160-feet of road frontage and without frontage on a public street built to County street standards.
 - a. The plat includes adequate provisions to ensure access to the lot and maintenance of the driveway.
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

Per State Code, the Plan Commission must approve any subdivision of property that complies with local subdivision code. The proposed subdivision complies with local subdivision code other than lack of road frontage for Lot 1. The plat includes adequate provisions to ensure access to the property and maintenance of the driveway.

Staff recommends **APPROVAL**

Applicant/Owner Information

Applicant/Owner:	Beth N. Riggs	Surveyor:	Scott T Sumerford
	5599 N Brandywine Rd		3149 N Riley Hwy.
	Shelbyville, IN 46176		Shelbyville, IN 46176

Minimum Requirements for Easement Agreement

1. Be cross-referenced to the Simple Subdivision plat which the easement is associated;
2. Grant the grantee the right to access the easement for purposes of accessing their lot;
3. Specify the grantee's financial responsibilities with respect to the alteration, repair, maintenance, and removal of the improvements;
4. Prohibit the grantee or any other person from placing any obstruction within the easement;
5. Be binding on all heirs, successors, and assigns to the property on which the easement is located;
6. Be enforceable by the parties to the easement and the County;
7. Specify any other specially affected persons and classes of specially affected persons that are entitled to enforce the easement;
8. Provide for modification or termination in any manner stipulated by the Plan Commission;
9. Be cross-referenced to the most recently recorded deeds to the properties where the easement is to be established;
10. Include a metes and bounds description of the easement;
11. Be signed by a duly authorized representative of each property owner of record granting the easement and by duly authorized representatives of each property owner accepting the easement.

Property Details

Location: Southeast corner of CR 1100 N & CR 400 W, New Palestine, Moral Township.

Property Size: 13-98-acres.

Current Land Use: Cropland / Cemetery.

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

A2 (Agricultural)

This district is established for general agricultural areas and buildings associated with agricultural production.

RE (Residential Estate)

This district is established for single-family detached dwellings in a rural or country setting.

IS (Institutional)

This district is established for institutional and municipal owned lands for public purpose and use.

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	A1	Cropland
West	A1/R1	Cropland / Single-Family Res.

Staff Report

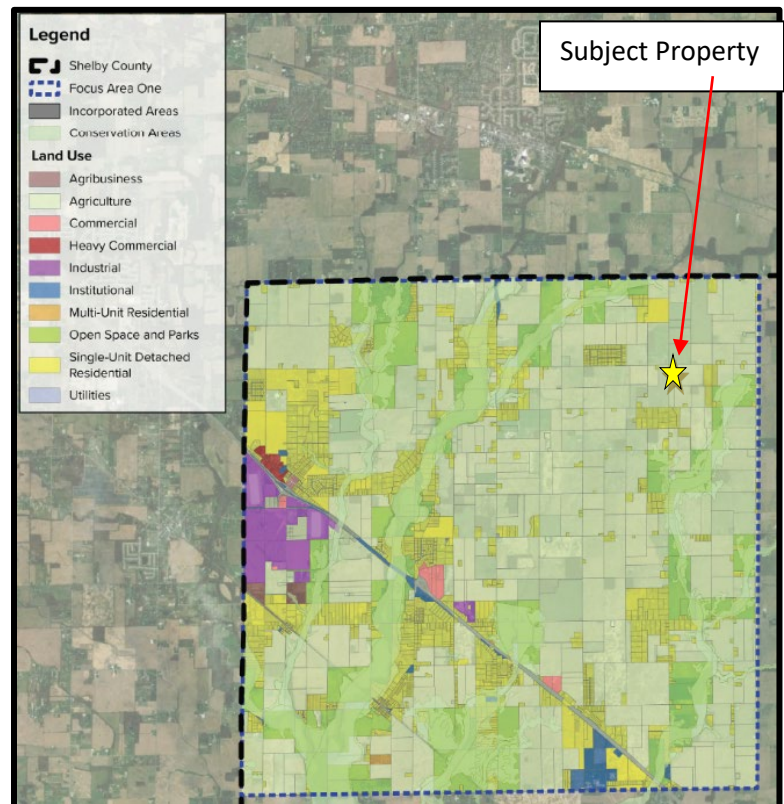
Case Number: RZ 26-16

Case Name: Schwier & Co. LLC Rezoning – A1 (Conservation Agricultural) to A2 (Agricultural), RE (Residential Estate), and IS (Institutional)

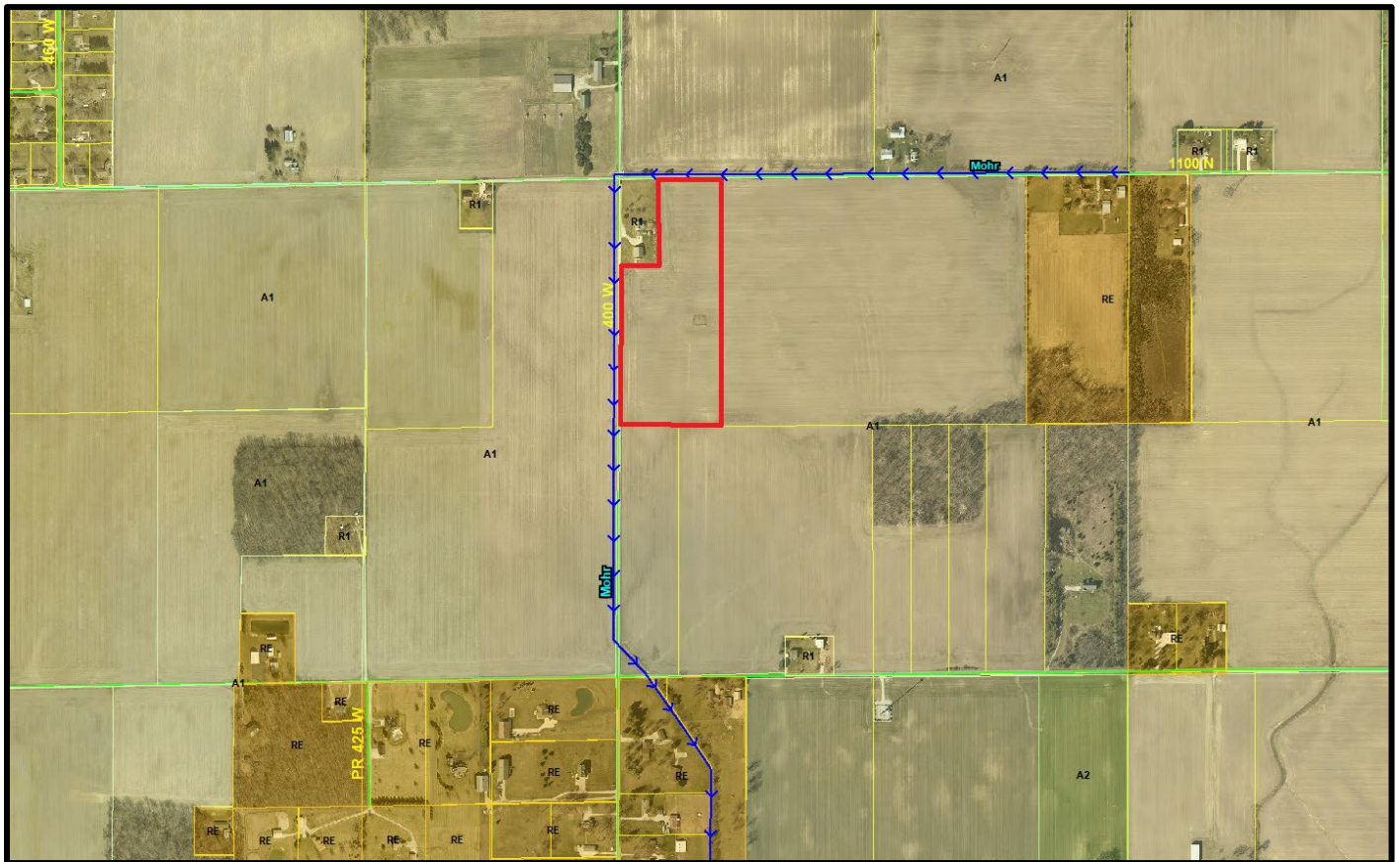
Requests

Rezoning of 6.9-acres from the A1 (Conservation Agricultural) District to the A2 (Agricultural) District, 6.5-acres from the A1 (Conservation Agricultural) District to the RE (Residential Estate) District, and 0.25-acres from the A1 (Conservation Agricultural) District to the IS (Institutional) District to allow for future development of three single-family building lots.

Future Land Use Map – Moral Township



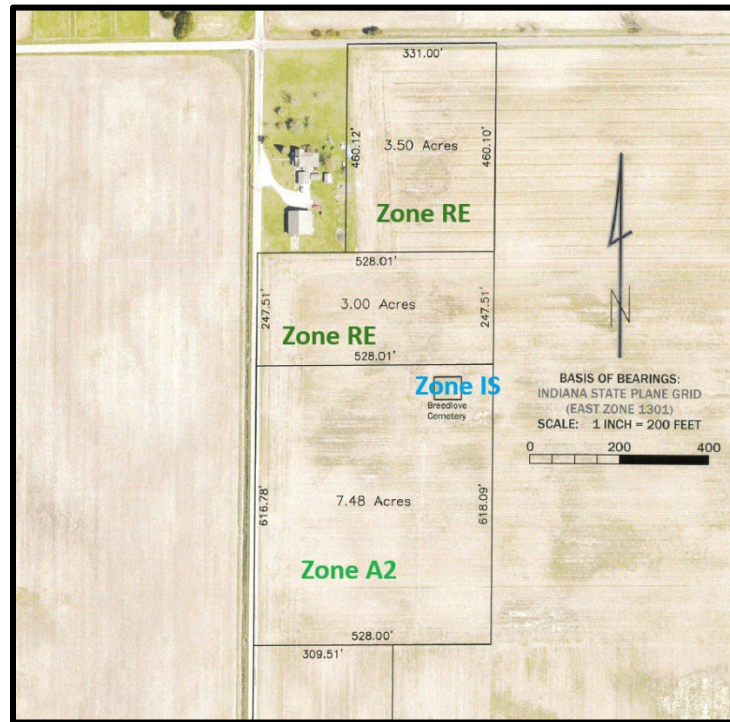
Property Map



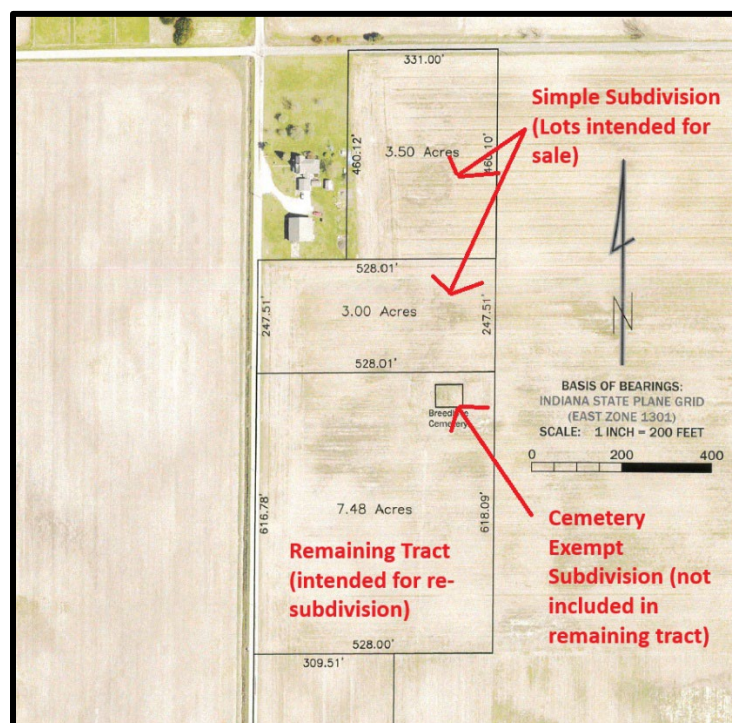
Case Description

- Approval of the requests would assign the appropriate zoning to the property for future single-family residential development.
- The rezoning would allow for subdivision of the property into three building lots. The petitioner also intends to re-subdivide the larger lot after five years, resulting in subdivision of the property into a total of five building lots.
- The rezoning would also assign the correct IS (Institutional) zoning to the Breedlove Cemetery.
- The petitioner intends to rezone, subdivide, and develop the property as shown below.

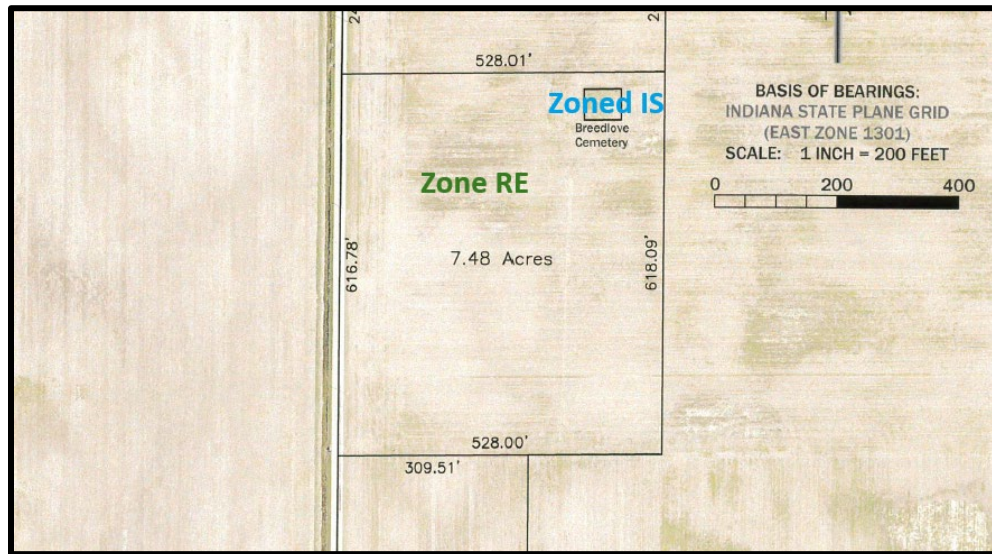
- **Current Rezoning Request.** Plan Commission recommendation and County Commissioners approval required. Approval contingent on positive Findings of Fact and any stipulations.



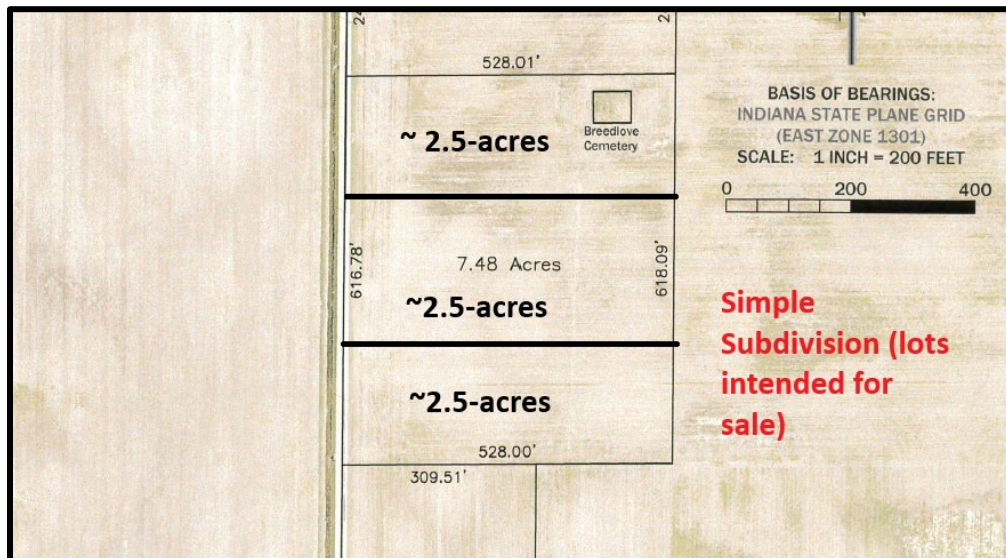
- **Proposed Subdivision Request.** Public hearing before the Plan Commission required. The Plan Commission must approve the subdivision if the property has the correct zoning because the subdivision would comply with all standards for Simple Subdivisions. Note that the remaining tract would also qualify as a building lot.



- **Future Rezoning Request.** The UDO includes a five-year suspension on re-subdivision of property. After five years, the petitioner intends to request a rezoning of the remaining tract to RE to allow for the re-subdivision of the property. Plan Commission recommendation and County Commissioners approval required. Approval contingent on positive Findings of Fact and any stipulations.



- **Future Simple Subdivision Request.** Public hearing before the Plan Commission required. The Plan Commission must approve the subdivision if the property has the correct zoning because the subdivision would comply with all standards for Simple Subdivisions.



- The UDO would require approval of a major subdivision to subdivide the property into the five building lots concurrently. Major subdivisions require drainage facilities, dedication of right-of-way, common area open space, perimeter landscaping, one point of access from the County road to interior roads constructed to County road specifications, and sidewalks.
- The UDO allows for multiple Simple Subdivisions of the same property by the five-year suspension rule to allow for a controlled pace of development along with the pace of development of public facilities, such as roads and schools. An indefinite prohibition on re-subdivision of property could be challenged as an illegal regulatory taking of property which deprives a property owner of reasonable use or economic value of their land.
- The petitioner also owns the adjacent property to the south and intends to rezone and subdivide that property in a similar manner (see Staff Report for RZ 26-17). Approval of both rezoning requests and all future zoning and subdivision requests would allow for development of ten building lots along the east side of CR 400 W, between W 1050 N and W 1100 N.
- The Mohr Legal Drain open ditch runs along the west side of CR 400 W and continues south through the neighborhood located at the intersection of CR 400 W & CR 1050 N. Water flows south through the ditch. Any septic systems with perimeter drains would likely outlet to this ditch either by a new drain under CR 400 W or a new drain down to the ditch where it crosses CR 400 W near CR 1050 N.
- A neighborhood consisting mostly of 5-acre single-family residential lots is located directly south of the property. Lakeview Estates, which includes mostly 0.6-acre single-family lots, is located half a mile west of the property. The remaining surrounding area consists of cropland and scattered rural homesites.
- The USDA Soil Survey classifies the property as 'Prime Farmland if Drained.'
- 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 any 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 adjacent neighborhood to the south includes single-family residential development at a similar density to the density of development permitted by the rezoning. Approval of the rezoning would allow for a logical extension of this neighborhood.

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

Considerations Supporting Approval: Approval would allow for residential development in a rural area that includes similar residential development patterns. Several single-family residential neighborhoods including properties of similar or smaller size as the lots permitted by the rezoning exist within 1.5-miles of the property.

Considerations Supporting Denial: The USDA Soil Survey classifies the property as ‘Prime Farmland if Drained’ and adjoining farmland renders the property desirable for continued agricultural use.

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

Considerations Supporting Approval:

- 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 any new single-family residence.
- Approval would allow for residential development in a rural area that includes similar residential development patterns.
- Several sources indicate that the United States currently has a housing shortage. Locally, realtors have cited a significant housing shortage, especially in the rural areas of Shelby County.

Considerations Supporting Denial: Development of three lots concurrently with development of three lots to the south would have a more significant impact on nearby roads and drainage infrastructure than intended for Simple Subdivisions, which do not exceed three lots. Additionally, re-subdivision of the property in five years may not keep up with the pace of development of public facilities. Major subdivision requirements, which allow for subdivision of property into more than three lots, require an engineered drainage plan to mitigate impacts to surrounding drainage infrastructure and an internal road to limit curb cuts onto the County road, thereby protecting the safety of the traveling public.

5. The Comprehensive Plan

Considerations Supporting Approval: Approval of the rezoning would not result in the residential density of the immediate area exceeding one lot for every five acres as recommended for residential development in agricultural areas by the Comprehensive Plan.

Considerations Supporting Denial: Approval of the rezoning would result in the removal of more farmland from production than typical for Simple Subdivisions in an area designated for agriculture by the Comprehensive Plan.

Staff Recommendation

Staff recommends **APPROVAL of the Rezoning and Simple Subdivision** primarily because approval would allow for residential development in an area that includes similar residential development patterns and would provide housing opportunities during a local and national housing shortage. However, additional development standards should apply to mitigate the strain of concurrent developments on public facilities. Staff recommends the following **stipulations**:

- Access shall be limited to one point of access along CR 1100 N and two points of access along CR 400 W. This stipulation shall continue to apply in the event of re-subdivision of the property.

- The County Surveyor shall have the discretion to require a drainage plan in compliance with some or all of the regulations applicable to major subdivisions identified in the Shelby County Stormwater Management Ordinance.

Applicant/Owner Information

Applicant:	Schwier & Co. LLC (Randy Schwier) 6158 W 300 S New Palestine, IN 46163	Surveyor:	Scott T Sumerford 3149 N Riley Hwy. Shelbyville, IN 46176
Owner:	Same		

Property Details

Location: Northeast corner of CR 1050 N & CR 400 W, New Palestine, Moral Township.

Property Size: 9.41-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

A2 (Agricultural)

This district is established for general agricultural areas and buildings associated with agricultural production.

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	RE	Estate Residential
East	A1	Cropland
West	A1	Cropland

Staff Report

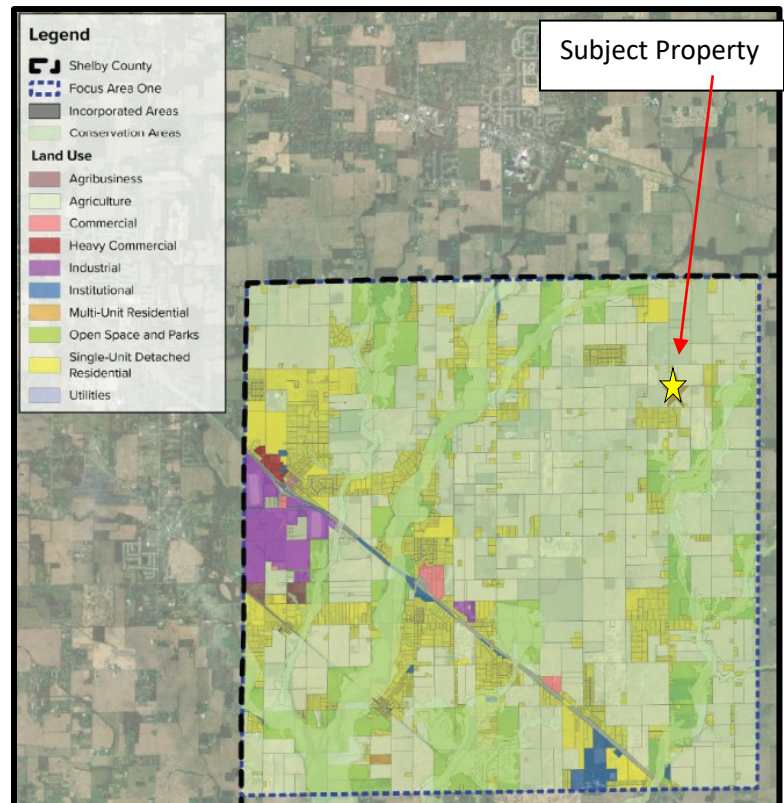
Case Number: RZ 26-17

Case Name: Schwier & Co. LLC Rezoning – A1 (Conservation Agricultural) to A2 (Agricultural) and RE (Residential Estate).

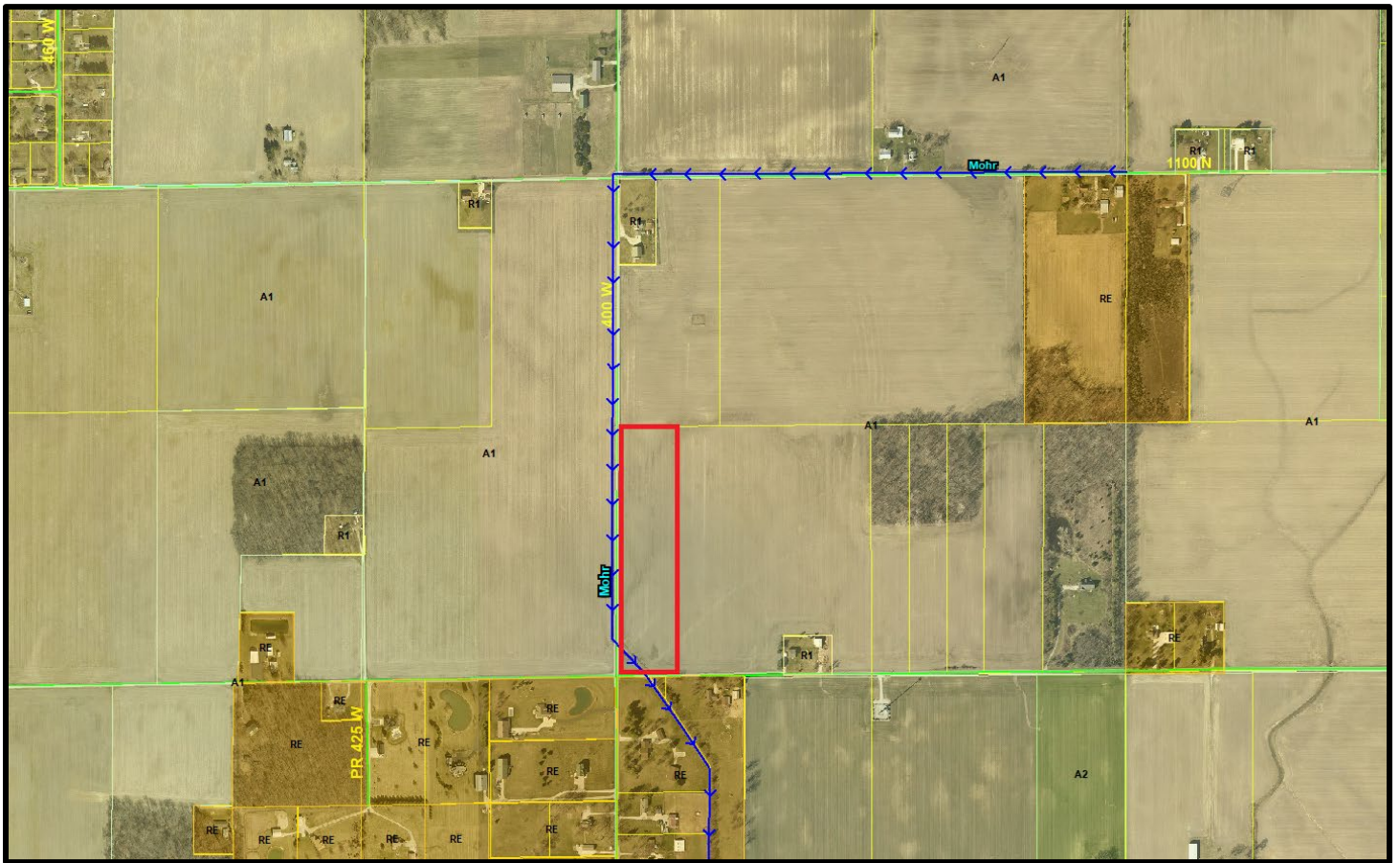
Requests

Rezoning of 5.41-acres from the A1 (Conservation Agricultural) District to the A2 (Agricultural) District and 4-acres from the A1 (Conservation Agricultural) District to the RE (Residential Estate) District to allow for future development of three single-family building lots.

Future Land Use Map – Moral Township



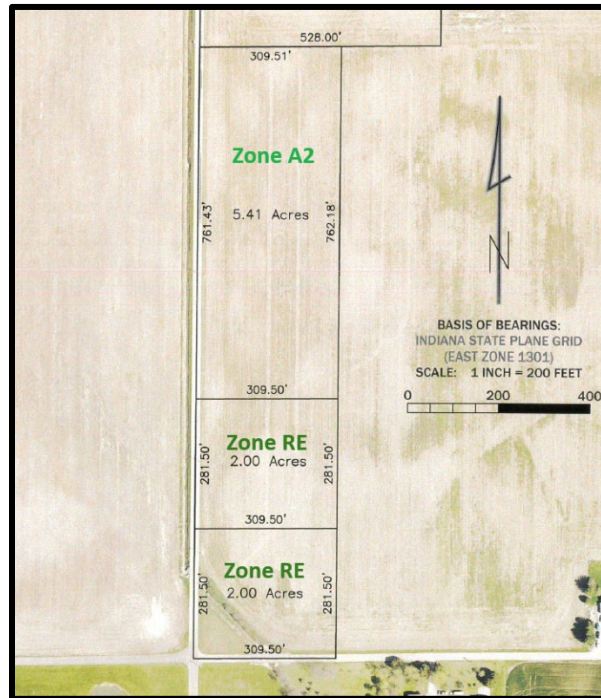
Property Map



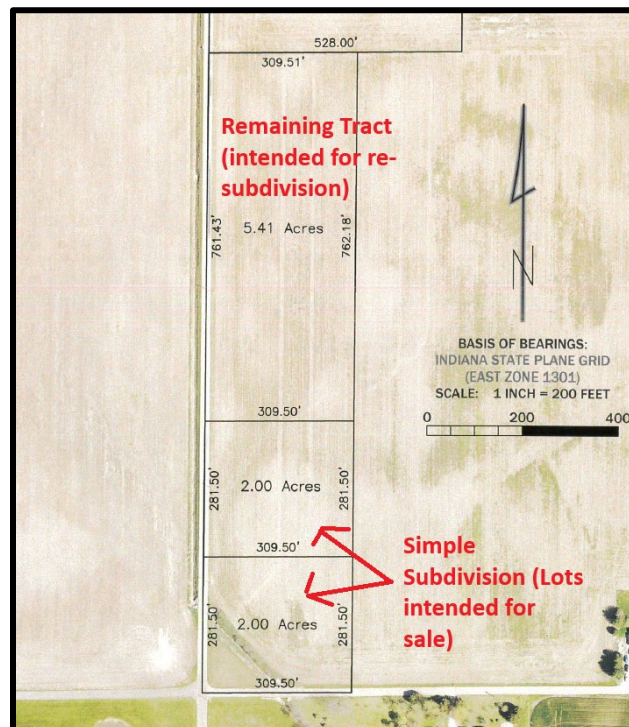
Case Description

- Approval of the requests would assign the appropriate zoning to the property for future single-family residential development.
- The rezoning would allow for subdivision of the property into three building lots. The petitioner also intends to re-subdivide the larger lot after five years, resulting in subdivision of the property into a total of five building lots.
- The petitioner intends to rezone, subdivide, and develop the property as shown below.

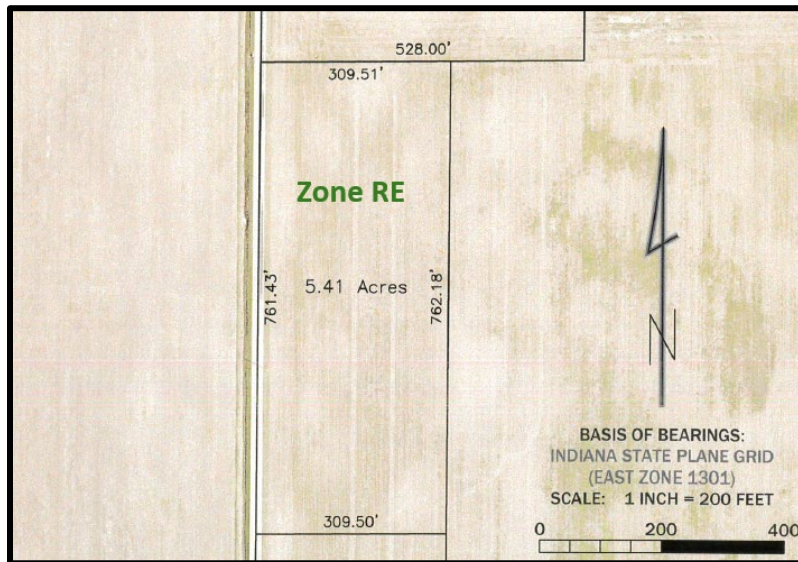
- **Current Rezoning Request.** Plan Commission recommendation and County Commissioners approval required. Approval contingent on positive Findings of Fact and any stipulations.



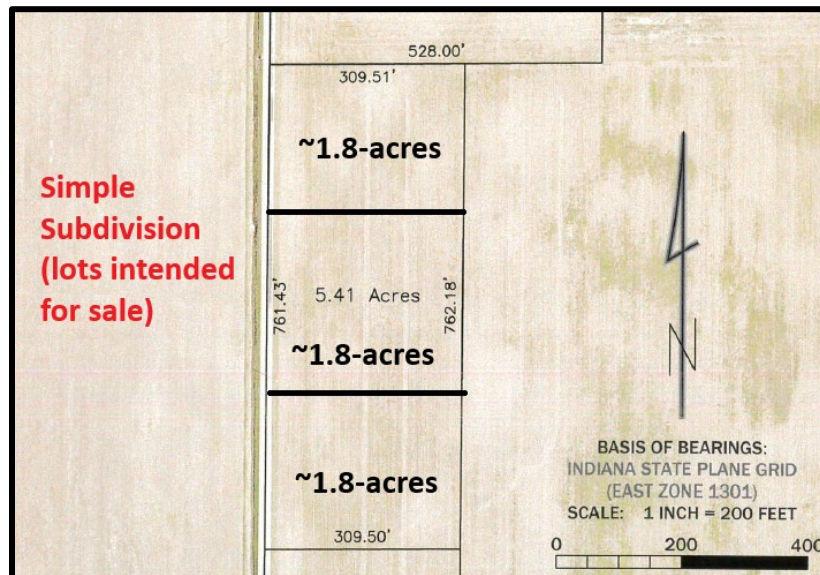
- **Proposed Subdivision Request.** Public hearing before the Plan Commission required. The Plan Commission must approve the subdivision if the property has the correct zoning because the subdivision would comply with all standards for Simple Subdivisions. Note that the remaining tract would also qualify as a building lot.



- **Future Rezoning Request.** The UDO includes a five-year suspension on re-subdivision of property. After five years, the petitioner intends to request a rezoning of the remaining tract to RE to allow for the re-subdivision of the property. Plan Commission recommendation and County Commissioners approval required. Approval contingent on positive Findings of Fact and any stipulations.



- **Future Simple Subdivision Request.** Public hearing before the Plan Commission required. The Plan Commission may approve the subdivision contingent on a waiver to allow for Simple Subdivision of a parent tract under 6-acres.



- The UDO would require approval of a major subdivision to subdivide the property into the five building lots concurrently. Major subdivisions require drainage facilities, dedication of right-of-way, common area open space, perimeter landscaping, one point of access from the County road to interior roads constructed to County road specifications, and sidewalks.
- The UDO allows for multiple Simple Subdivisions of the same property by the five-year suspension rule to allow for a controlled pace of development along with the pace of development of public facilities, such as roads and schools. An indefinite prohibition on re-subdivision of property could be challenged as an illegal regulatory taking of property which deprives a property owner of reasonable use or economic value of their land.
- The petitioner also owns the adjacent property to the south and intends to rezone and subdivide that property in a similar manner (see Staff Report for RZ 26-17). Approval of both rezoning requests and all future zoning and subdivision requests would allow for development of ten building lots along the east side of CR 400 W, between W 1050 N and W 1100 N.
- The Mohr Legal Drain open ditch runs along the west side of CR 400 W and continues south through the neighborhood located at the intersection of CR 400 W & CR 1050 N. Water flows south through the ditch. Any septic systems with perimeter drains would likely outlet to this ditch either by a new drain under CR 400 W or a new drain down to the ditch where it crosses CR 400 W near CR 1050 N.
- A neighborhood consisting mostly of 5-acre single-family residential lots is located directly south of the property. Lakeview Estates, which includes mostly 0.6-acre single-family lots, is located half a mile west of the property. The remaining surrounding area consists of cropland and scattered rural homesites.
- The USDA Soil Survey classifies the property as 'Prime Farmland if Drained.'
- 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 any 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 adjacent neighborhood to the south includes single-family residential development at a similar density to the density of development permitted by the rezoning. Approval of the rezoning would allow for a logical extension of this neighborhood.

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

Considerations Supporting Approval: Approval would allow for residential development in a rural area that includes similar residential development patterns. Several single-family residential neighborhoods including properties of similar or smaller size as the lots permitted by the rezoning exist within 1.5-miles of the property.

Considerations Supporting Denial: The USDA Soil Survey classifies the property as 'Prime Farmland if Drained' and adjoining farmland renders the property desirable for continued agricultural use.

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

Considerations Supporting Approval:

- 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 any new single-family residence.
- Approval would allow for residential development in a rural area that includes similar residential development patterns.
- Several sources indicate that the United States currently has a housing shortage. Locally, realtors have cited a significant housing shortage, especially in the rural areas of Shelby County.

Considerations Supporting Denial: Development of three lots concurrently with development of three lots to the north would have a more significant impact on nearby roads and drainage infrastructure than intended for Simple Subdivisions, which do not exceed three lots. Additionally, re-subdivision of the property in five years may not keep up with the pace of development of public facilities. Major subdivision requirements, which allow for subdivision of property into more than three lots, require an engineered drainage plan to mitigate impacts to surrounding drainage infrastructure and an internal road to limit curb cuts onto the County road, thereby protecting the safety of the traveling public.

5. The Comprehensive Plan

Considerations Supporting Approval: Approval of the rezoning would not result in the residential density of the immediate area exceeding one lot for every five acres as recommended for residential development in agricultural areas by the Comprehensive Plan.

Considerations Supporting Denial: Approval of the rezoning would result in the removal of more farmland from production than typical for Simple Subdivisions in an area designated for agriculture by the Comprehensive Plan.

Staff Recommendation

Staff recommends **APPROVAL of the Rezoning and Simple Subdivision** primarily because approval would allow for residential development in an area that includes similar residential development patterns and would provide housing opportunities during a local and national housing shortage. However, additional development standards should apply to mitigate the strain of concurrent developments on public facilities. Staff recommends the following **stipulations**:

- Access shall be limited to one point of access along CR 1050 N and two points of access along CR 400 W. This stipulation shall continue to apply in the event of re-subdivision of the property.

- The County Surveyor shall have the discretion to require a drainage plan in compliance with some or all of the regulations applicable to major subdivisions identified in the Shelby County Stormwater Management Ordinance

Applicant/Owner Information

Applicant:	Schwier & Co. LLC (Randy Schwier) 6158 W 300 S New Palestine, IN 46163	Surveyor:	Scott T Sumerford 3149 N Riley Hwy. Shelbyville, IN 46176
Owner:	Same		