

Shelby County Plan Commission

September 22, 2026, at 7:00
PM

Table of Contents

Agenda.....	3
RZ 26-13 / SD 26-12 Kova Fertilizer, Inc. Rezoning & Reed Simple Subdivision.	5
Staff Report	5
A4 District Intent, Permitted Uses, and Special Exception Uses.....	10
Petitioner’s Statement of Intent	11
Petitioner’s Findings of Fact	12
Site Plan	13
Plat.....	14
RZ 26-14 / SD 26-13 Hoosier Investing, LLC Rezoning & East-Hauk Simple Subdivision	15
Staff Report	15
Petitioner’s Findings of Fact	20
Site Plan	21
Plat.....	22
SD 26-14 West-Hauk Simple Subdivision	23
Staff Report	23
Site Plan	26
Plat.....	27
RZ 26-17 Schwier & Co. LLC Rezoning.....	45
Staff Report	45
Site Plan	32
RZ 26-18 / SD 26-17 LB Renovations, LLC Rezoning & LB Renovations Simple Subdivision	33
Staff Report	33
Plat.....	39

MEETING AGENDA

Shelby County Plan Commission
September 22, 2026

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

Minutes from the August 12, 2026, meeting.

Minutes from the August 25, 2026, meeting.

WITHDRAWN PETITIONS

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.

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.

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 26-17 – 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.

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.

NEW BUSINESS

None.

DISCUSSION

None.

ADJOURNMENT

The next regular meeting of the Shelby County Plan Commission is scheduled for Tuesday, **October 27, 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/82116109475?pwd=xYaoUWjYOcexblSdxeGub9bWcyWR5Y.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

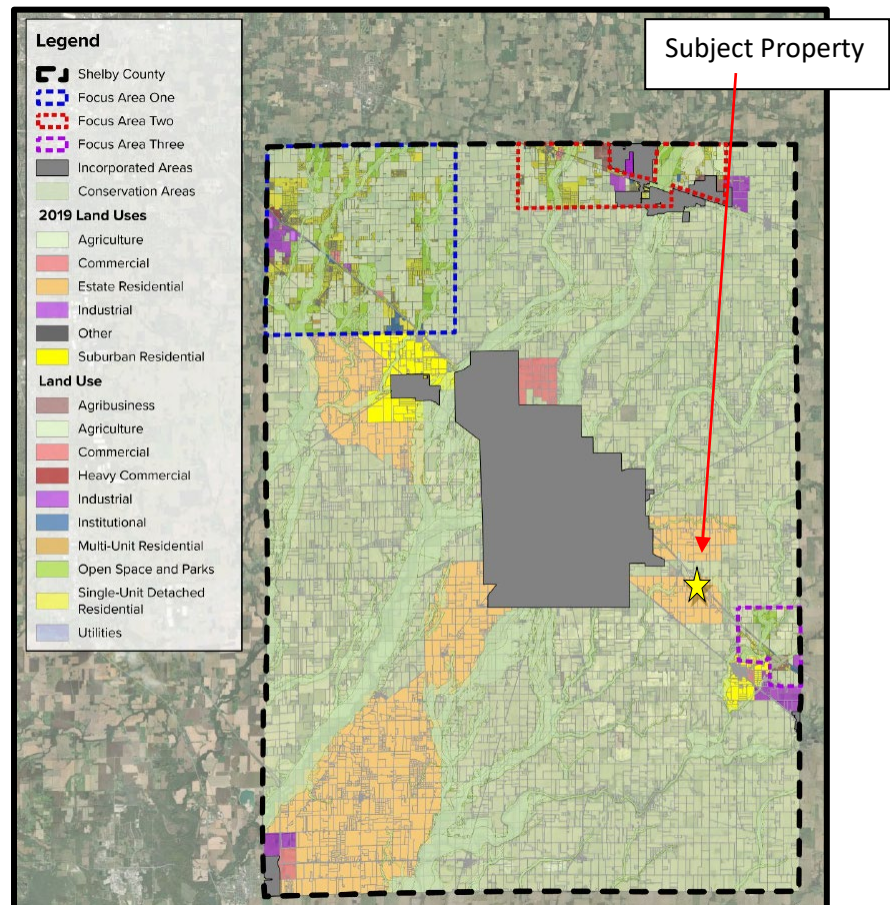
Requests

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.

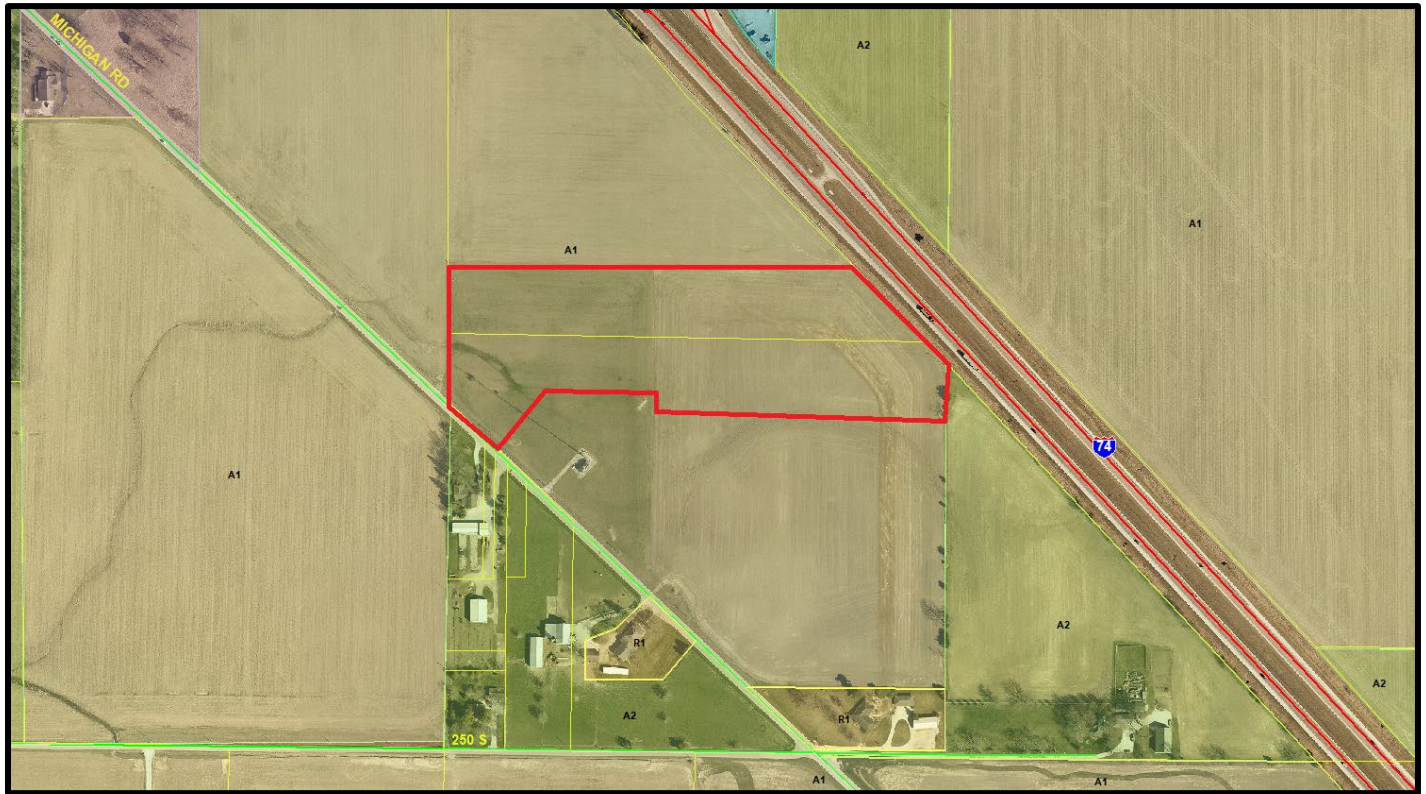
Simple Subdivision of a 12-acre agricultural commercial lot from a 30.20-acre parent tract.

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.

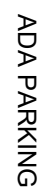
Finding 2: How is the proposed use, and/or other possible future uses permitted in the proposed zoning district, similar to surrounding structures and uses of land?

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.

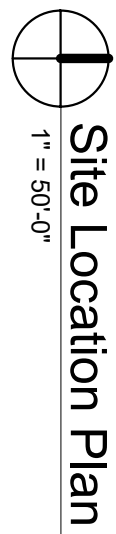
Finding 5: Why is the change in zoning designation consistent with responsible growth and development?

General Notes

[illegible]

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

PC Sep 22, 2026
Page 13 of 39



4571 East Michigan Road
Shelbyville, IN 46176
Phone

Project #	COP
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PRELIMINARY DRAWINGS.
THESE DOCUMENTS ARE NOT FOR CONSTRUCTION

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:

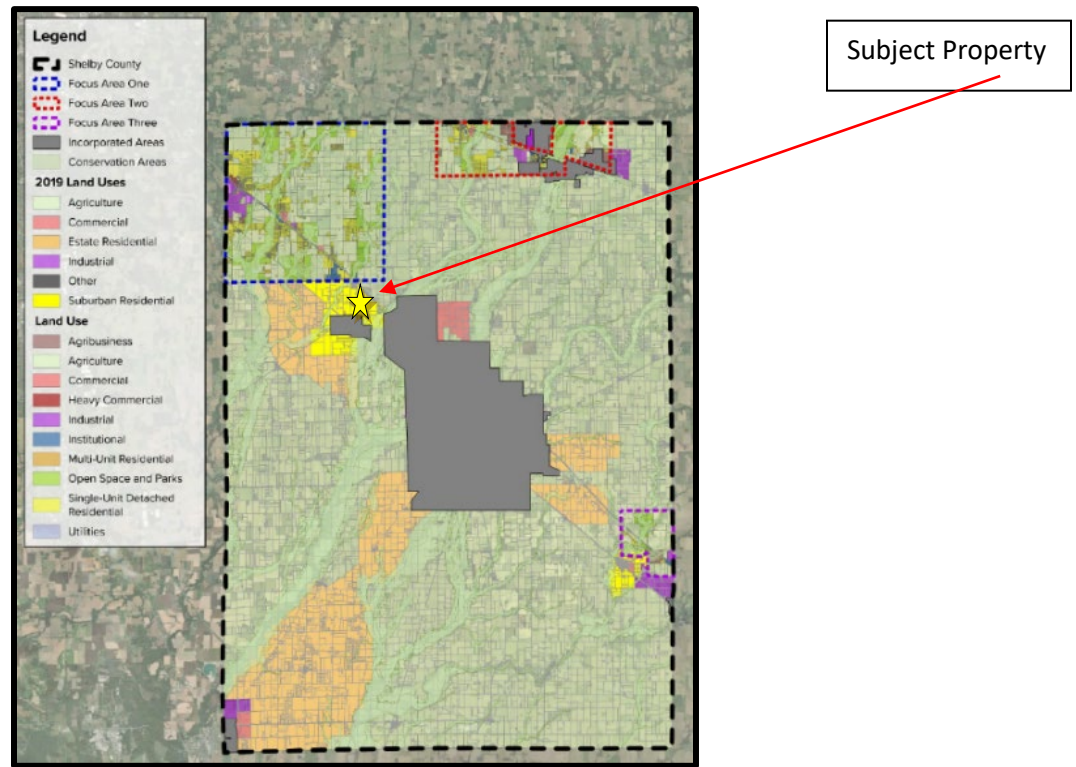
1. Simple Subdivision of a parent tract under 6-acre.
2. Simple Subdivision of property zoned R1.

Purpose of Subdivision Code Requirement

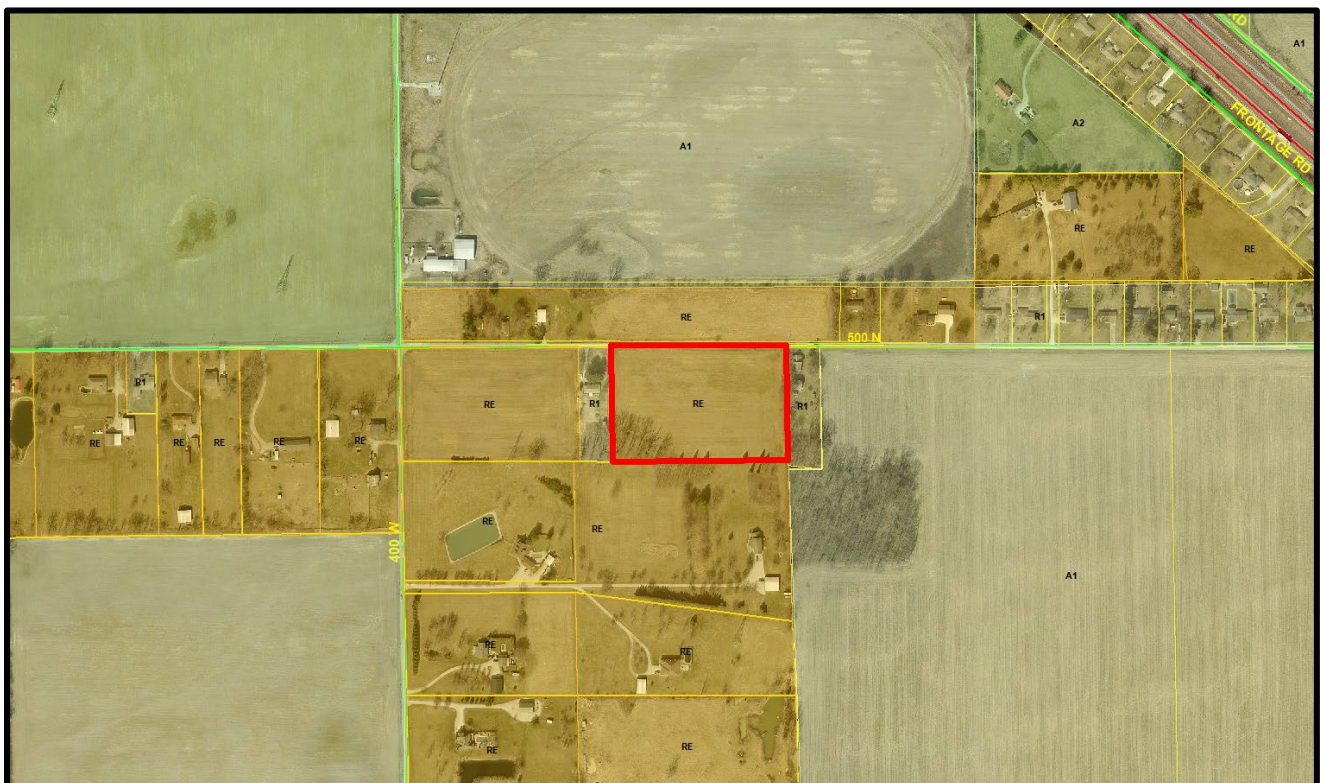
The UDO limits the size of the parent tract to at least 6-acres to discourage re-subdivision of 5-acre tracts. Prior to 1999, the County exempted land subdivided into tracts 5-acres or more from platting requirements, which resulted in the creation of an abundance of 5-acre tracts throughout the County.

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?



East-Hawk Simple Subdivision

Part of the West Half of the Northwest quarter of Section 10, Township 13 North, Range 6 East in Brandywine Township Shelby County, Indiana

Owner: Hoosier Investing LLC, Client: Alicia Barr
Site Address: East of 3925 West, 500 North, Fairland, IN 46126

Parent description of Tract Two being a 5.493 acre tract owned by Hoosier Investing LLC recorded in Instrument #2026003711.

TRACT TWO

A PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 13 NORTH, RANGE 6 EAST, SHELBY COUNTY, INDIANA, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF SAID QUARTER SECTION BEING SOUTH 88 DEGREES 56 MINUTES 03 SECONDS EAST (ASSUMED BEARING) 721.50 FEET FROM THE NORTHWEST CORNER OF SAID QUARTER SECTION, THENCE CONTINUING SOUTH 88 DEGREES 56 MINUTES 03 SECONDS EAST 604.13 FEET TO THE WEST LINE OF A TRACT OF GROUND DESCRIBED IN DEED RECORD 594, PAGE 711, THENCE SOUTH 00 DEGREES 06 MINUTES SECONDS WEST 396.44 FEET ALONG SAID EAST LINE TO THE NORTH LINE OF A TRACT OF GROUND DESCRIBED IN DEED RECORD 519, PAGE 724, THENCE NORTH 88 DEGREES 54 MINUTES 52 SECONDS WEST 603.43 FEET ALONG THE NORTH LINE OF SAID TRACT, THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 396.25 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.493 ACRES, MORE OR LESS.

MORE COMMONLY KNOWN AS: W 500 NORTH, FAIRLAND, IN 46126, PARCEL NUMBER: 73-06-10-100-003-000-004

Lot #1 Part of the West Half of the Northwest quarter of Section 10, Township 13 North, Range 6 East in Brandywine Township Shelby County, Indiana, being created from a survey (Job #31-2026) by Jeffrey Powell and being more particularly described as follows:

Commencing at the Northwest corner of the said half-quarter section, said point being marked by a railroad spike found 3" below grade and being per the Shelby County ties, thence South 89 degrees 56 minutes 44 seconds East (Bearings based on NAD 83, Indiana East, State Plane Coordinates) along the North line of the said half-quarter section a distance of 721.50 feet to a mag nail with a Powell washer set at the Northeast corner of a 1,000 acre tract recorded in Instrument 23005787, said point also being the point of beginning of the said half-quarter section, thence South 88 degrees 54 minutes 52 seconds West 603.43 feet to a mag nail with a Powell washer, thence North 00 degrees 00 minutes 00 seconds East 396.25 feet to the North line of the said 9.03 acre tract a distance of 205.00 feet to a Powell capped rebar set at the Southeast corner of the said 1,000 acre tract, thence North 01 degrees 00 minutes 41 seconds West along the East line of the said 1,000 acre tract a distance of 396.25 feet to the point of beginning, containing 1.865 Acres more or less and being subject to any and all easements, right of ways and restrictions.

Lot #2

Part of the West Half of the Northwest quarter of Section 10, Township 13 North, Range 6 East in Brandywine Township Shelby County, Indiana, being created from a survey (Job #31-2026) by Jeffrey Powell and being more particularly described as follows:

Commencing at the Northwest corner of the said half-quarter section, said point being marked by a railroad spike found 3" below grade and being per the Shelby County ties, thence South 89 degrees 56 minutes 44 seconds East (Bearings based on NAD 83, Indiana East, State Plane Coordinates) along the North line of the said half-quarter section a distance of 926.50 feet to a mag nail with a Powell washer, said point also being the point of beginning of the tract herein described, thence continuing South 89 degrees 56 minutes 44 seconds East along the said line a distance of 205.00 feet to a mag nail with a Powell washer, thence South 01 degrees 00 minutes 41 seconds East a distance of 396.39 feet to a Powell capped rebar set on the North line of a 9.03 acre tract recorded in Instrument 2013003542, thence North 89 degrees 55 minutes 33 seconds West along the North line of the said 9.03 acre tract a distance of 205.00 feet to a Powell capped rebar, thence North 01 degrees 00 minutes 41 seconds West a distance of 396.32 feet to the point of beginning, containing 1.865 Acres more or less and being subject to any and all easements, right of ways and restrictions.

Lot #3

Part of the West Half of the Northwest quarter of Section 10, Township 13 North, Range 6 East in Brandywine Township Shelby County, Indiana, being created from a survey (Job #31-2026) by Jeffrey Powell and being more particularly described as follows:

Commencing at the Northwest corner of the said half-quarter section, said point being marked by a railroad spike found 3" below the surface and being per the Shelby County ties, thence South 89 degrees 56 minutes 44 seconds East (Bearings based on NAD 83, Indiana East, State Plane Coordinates) along the North line of the said half-quarter section a distance of 1131.50 feet to a mag nail with a Powell washer, said point also being the point of beginning of the tract herein described, thence continuing South 89 degrees 56 minutes 44 seconds East along the said line a distance of 205.00 feet to a mag nail with a Powell washer, thence North 01 degrees 00 minutes 41 seconds West a distance of 396.32 feet to the point of beginning, containing 1.865 Acres more or less and being subject to any and all easements, right of ways and restrictions.

East along the said line a distance of 212.05 feet to a mag nail with a Powell washer set at the Northeast corner of the said half-quarter section, thence South 00 degrees 52 minutes 55 seconds East along the East line of the said half-quarter section a distance of 396.45 feet to a 5/8" rebar found marking the Northeast corner of a 9.03 acre tract recorded in Instrument 2013003542, thence North 89 degrees 55 minutes 33 seconds West along the North line of the said 9.03 acre tract a distance of 711.15 feet to a Powell capped rebar, thence North 01 degrees 00 minutes 41 seconds West a distance of 396.39 feet to the point of beginning, containing 1.925 Acres more or less and being subject to any and all easements, right of ways and restrictions.

Surveyor's Report:

This report is in accordance with Title 865, Article 1.1, Chapter 12, Sections 1 through 34, of the Indiana Administrative Code, the following descriptions and opinions are submitted in support of the same. The survey was conducted in the field and the results of the field work are established in the field notes and the results of the field work are established in the field notes and the results of the field work are established in the field notes.

Purpose of the survey:

The purpose of this survey is to split the 5.493 acres Tract Two owned by Hoosier Investing LLC, recorded in Instrument #2026003711 into three lots. The field work was performed on July 7, 2026 and other dates.

Availability and condition of the reference monuments:

The monuments found and field per this survey to establish the West half of the Northwest quarter of Section 10, Township 13 North, Range 6 East are as follows: -NW cor, NW1/4, 10-13-6, Found a railroad spike 3" below the surface and being per the Shelby County ties, -NE cor, NW1/4, 10-13-6, Set a mag nail with a Powell washer at the surface at the midpoint split, -NW cor, NW1/4, 10-13-6, Found a railroad spike 4" below the surface and being per the Shelby County ties, -SE cor, W1/2, NW1/4, 10-13-6, A mag nail was set per a previous survey being 1.65' East of the midpoint split. -All the found monuments are shown and noted on the survey plat and the uncertainties associated with the said corners are represented on the herein drawn survey plat and within this report by Record vs Measured vs Calculated.

Occupation or possession lines:

County Road 500 North is along the North line and CR 400 West is along the West line. There are remains of an old fence line along the East line of the West half and there was no occupation lines found along the South line of the parent tracts one & two. There is an existing fence line along the East line of the 1,000 acre tract that is 0.5' East to 4.5' West of the line and a fence line along the West line that is 1.5' to 3.0' West of the line.

Clarity or ambiguity of the record description used and / or adjoiner's description:

The parent Tracts Line & Two were created from a previous survey by Greg Garrison dated 7-4-1997 which was based on the previous survey by Stephan Kuhn of the tracts to the South dated 8-25-1995. Tract Two of the Garrison survey was found to be -18' West of the East line of the West half of the Northwest quarter section due to an error he made in preparing the total record distance of 1342.93' along the North line of the Kuhn survey. The Garrison's survey held a total distance of 1324.93' which created a gap of -18' and the present description of Tract Two called for the East and South adjoiners. Therefore this survey held the East line of Tract Two to be along the East line of the said half-quarter section and the South line to be along the North line of the said Kuhn survey.

Relative position accuracy of Measurements:

This survey falls within the classification of a Rural survey and therefore has a Relative position accuracy of 0.13 feet plus 100 parts per million plus the above stated uncertainties.

Flood Hazard Statement:

The surveyed tract is located in a special flood hazard ZONE X per the FEMA Flood Insurance rate map number 18145CO101C, the accuracy of this flood hazard statement is subject to map scale uncertainty in location or elevation on the referenced flood insurance rate map.

General Subdivision Notes:

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, tie, or protecting drainage works or substance tie. Note: Prior to issuance of a certificate of occupancy for a residence, five deciduous trees with at least 1 1/2" inch DBH at the time of planting shall be planted or three deciduous trees with a caliper measurement of over 4-in shall be preserved on the lot. Note: Waivers of Simple Subdivision prerequisites to allow for Simple Subdivision of property zoned R1 and Simple Subdivision of a parent tract under 6-acres. Note: Lots #1, 2&3 "R1" Zoning, the building set back lines are 50' Front for primary & accessory structures and 15' Side & 30' Rear for primary and 8' for accessory structures.

Surveyor Certification:

I, the undersigned, hereby certify that I am a Land Surveyor registered in compliance with the laws of the State of Indiana and I do hereby further certify that I have surveyed the real estate described in the caption above and that I have subdivided the same into two tracts as shown on the herein drawn plat. This plat correctly represents said survey and subdivision in every detail. Monuments shown are in place as located.

Witness my hand this 13 day of August, 2026.

Jeffrey P. Powell
Jeffrey P. Powell
Registered Land Surveyor
No. 29800024

Owners Certification:

I, Alicia Barr, do hereby certify that I am the owners of the property described in the above captioned and that as such owners I have caused the said above described property to be surveyed and subdivided as shown on the here on drawn plat, as our free and voluntary act and deed.

Witness my hand this ___ day of ___, 2026.

Alicia Barr (Owner of Hoosier Investing LLC)

Notary Certification:

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

Given under my hand and notarial seal this ___ day of ___, 2026.

Notary Public

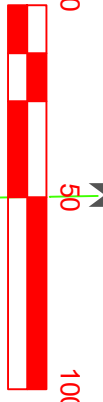
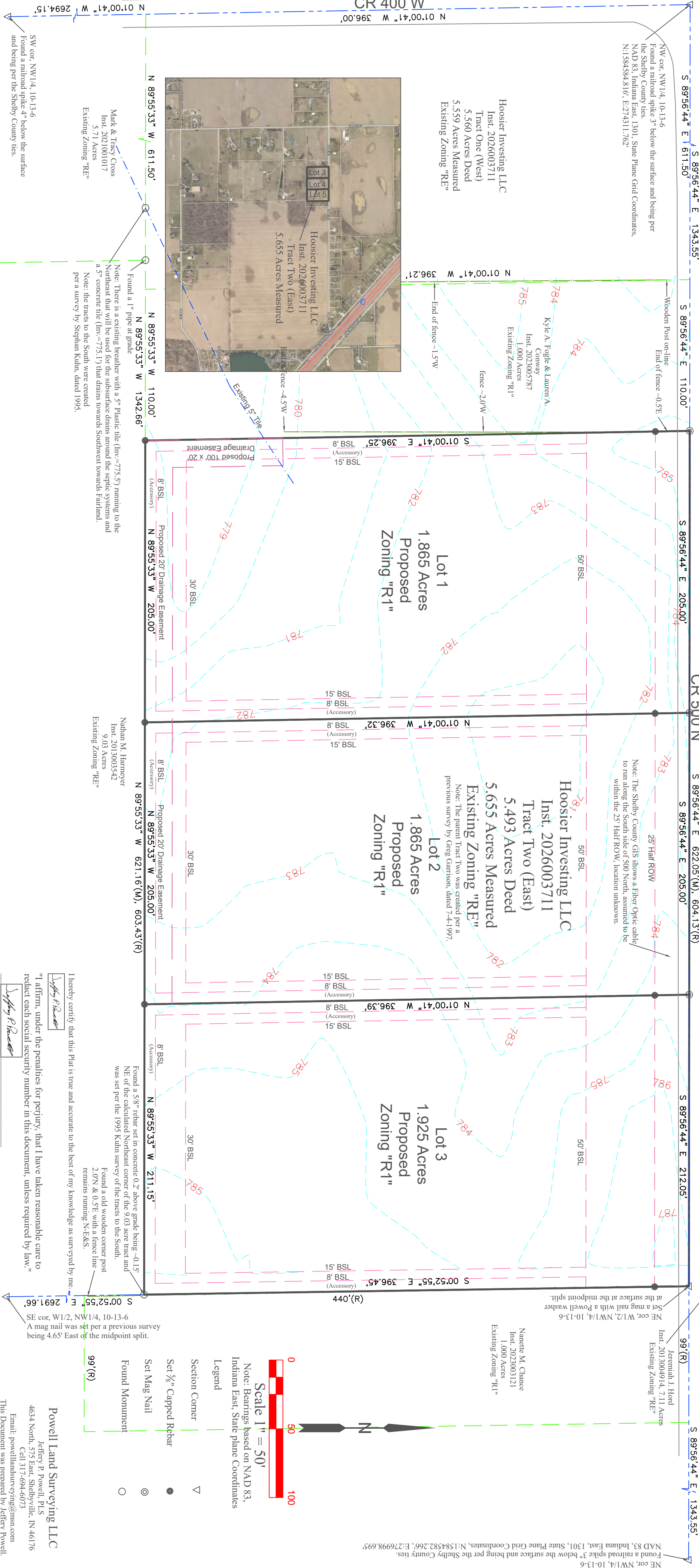
Plan Commission Approval:

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

By, Kevin Carson, President Plan Commission

By, Megan Hart, Secretary Plan Commission

Re-zoning Approval:
Shelby County Commissioners Re-zoning Ordinance # ___ was approved by the Shelby County Commissioners on ___



Note: Bearings based on NAD 83, Indiana East, State Plane Coordinates

- Section Corner
- Set 3/4" Capped Rebar
- Set Mag Nail
- Found Monument

Powell Land Surveying LLC
Jeffrey P. Powell, PLS
4634 North, 575 East, Shelbyville, IN 46176
Cell 317-694-6073
Email: powellandsurveying@gmail.com
This Document was prepared by Jeffrey Powell.

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

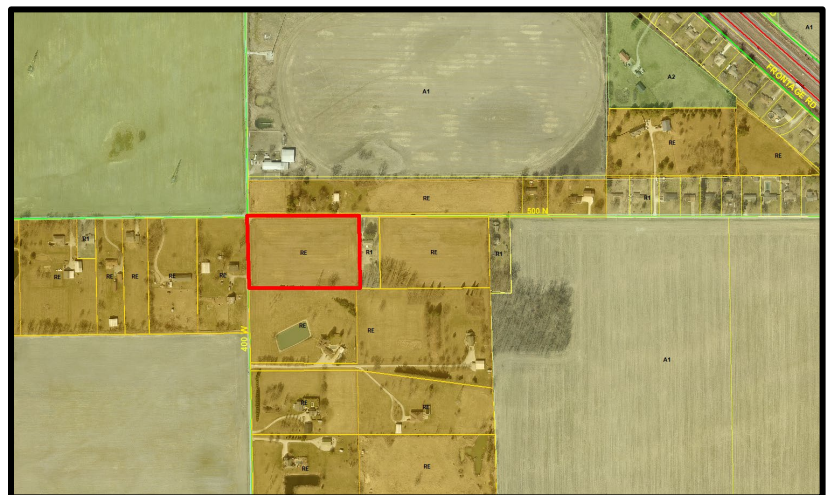
Simple Subdivision to create a 3.31-acre single-family building lot and a 2.249-acre single-family building lot.

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		



West-Hawk Simple Subdivision

Part of the West Half of the Northwest quarter of Section 10, Township 13 North, Range 6 East in Brandywine Township Shelby County, Indiana

Owner: Hoosier Investing LLC , Client: Alicia Barr
Site Address: West of 3925 West, 500 North, Fairland, IN 46126

Parent description of Tract one being a 5,560 acre tract owned by Hoosier Investing LLC recorded in Instrument #2026003711.

TRACT ONE
A PART OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 13 NORTH, RANGE 6 EAST, SHELBY COUNTY, INDIANA, DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF SAID QUARTER SECTION; THENCE NORTH 88 DEGREES 56 MINUTES 03 SECONDS EAST (ASSUMED BEARING) 611.50 FEET ALONG THE NORTH LINE OF SAID QUARTER SECTION; THENCE SOUTH 00 DEGREES 00 MINUTES 54 SECONDS WEST 396.21 FEET TO THE NORTH LINE OF A TRACT OF GROUND DESCRIBED IN DEED RECORD 316, PAGE 724; THENCE NORTH 88 DEGREES 54 MINUTES 52 SECONDS WEST 611.50 FEET ALONG THE NORTH LINE OF SAID TRACT TO THE EAST LINE OF SAID QUARTER SECTION; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 396.00 FEET ALONG SAID EAST LINE TO THE POINT OF BEGINNING AND CONTAINING 5,560 ACRES, MORE OR LESS.

Lot #1
Part of the West Half of the Northwest quarter of Section 10, Township 13 North, Range 6 East in Brandywine Township Shelby County, Indiana, being created from a survey (Job #31-2026) by Jeffrey Powell and being more particularly described as follows:
Beginning at the Northwest corner of the said half-quarter section, said point being marked by a railroad spike found 3' below grade and being per the Shelby County ties, said point also being the point of beginning of the tract herein described; thence South 89 degrees 56 minutes 44 seconds East (bearings based on NAD 83, Indiana East, State Plane Coordinates) along the North line of the said half-quarter section a distance of 364.13 feet to a mag nail with a Powell washer set at the Northwest corner of a 1,000 acre tract recorded in Instrument 2023005787; thence South 01 degrees 00 minutes 41 seconds East along the West line of the said 1,000 acre tract a distance of 396.21 feet to a Powell capped rebar set at the Southwest corner of the said 1,000 acre tract, also being a point on the North line of a 9.03 acre tract recorded in Instrument 201001017; distance of 247.37 feet to a Powell capped rebar, thence North 01 degrees 00 minutes 41 seconds West a distance of 396.13 feet to the point of beginning, containing 3,310 Acres more or less and being subject to any and all easements, right of ways and restrictions.

Lot #2
Part of the West Half of the Northwest quarter of Section 10, Township 13 North, Range 6 East in Brandywine Township Shelby County, Indiana, being created from a survey (Job #31-2026) by Jeffrey Powell and being more particularly described as follows:
Commencing at the Northwest corner of the said half-quarter section, said point being marked by a railroad spike found 3' below grade and being per the Shelby County ties, thence South 89 degrees 56 minutes 44 seconds East (bearings based on NAD 83, Indiana East, State Plane Coordinates) along the North line of the said half-quarter section a distance of 364.13 feet to a mag nail with a Powell washer set at the Northwest corner of the tract herein described; thence containing South 89 degrees 56 minutes 44 seconds East along the said line a distance of 247.37 feet to a mag nail with a Powell washer set at the Northwest corner of a 1,000 acre tract recorded in Instrument 2023005787; thence South 01 degrees 00 minutes 41 seconds East along the West line of the said 1,000 acre tract a distance of 396.21 feet to a Powell capped rebar set at the Southwest corner of the said 1,000 acre tract, also being a point on the North line of a 9.03 acre tract recorded in Instrument 201001017; distance of 247.37 feet to a Powell capped rebar, thence North 01 degrees 00 minutes 41 seconds West a distance of 396.13 feet to the point of beginning, containing 2,249 Acres more or less and being subject to any and all easements, right of ways and restrictions.

Surveyor's Report:

This report is in accordance with Title 865, Article 1.1, Chapter 12, Sections 1 through 34, of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of: Availability and condition of the reference monuments. Occupation or possession lines. Clarity or ambiguity of the record description used and / or adjoining's description. This survey falls within the classification of a Suburban survey and therefore has a Relative position accuracy of 0.13 feet plus 100 parts per million.

Purpose of the survey:

The purpose of this survey is to split the 5,560 acres Tract One owned by Hoosier Investing LLC recorded in Instrument #2026003711 into two lots. The field work was performed on July 7, 2026 and other dates.

Availability and condition of the reference monuments:

The monuments found and held per this survey to establish the West half of the Northwest quarter of Section 10, Township 13 North, Range 6 East are as follows:
-NW cor. NW1/4, 10-13-6. Found a railroad spike 3' below the surface and being per the Shelby County ties.
-NE cor. NW1/4, 10-13-6. Set a mag nail with a Powell washer at the surface at the midpoint split.
-NW cor. NW1/4, 10-13-6. Found a railroad spike 4' below the surface and being per the Shelby County ties.
-SE cor. W1/2, NW1/4, 10-13-6. A mag nail was set per a previous survey being 4.65' East of the midpoint split.
-All the found monuments are shown and noted on the survey plat and the uncertainties associated with the said corners are represented on the hereon drawn survey plat and within this report by Record vs Measured vs Calculated.

Occupation or possession lines:

County Road 500 North is along the North line and CR 400 West is along the West line. There are remains of an old fence line along the East line of the West half and there was no occupation lines found along the South line of the present tracts one & two. There is an existing fence line along the East line of the 1,000 acre tract that is 0.5' East to 4.5' West of the line and a fence line along the West line that is 1.5' to 3.0' West of the line.

Clarity or ambiguity of the record description used and / or adjoining's description:

The parent Tract One & Two were created from a previous survey by Greg Garrison dated 7-4-1997 which was based on the previous survey by Stephan Kuhn of the tracts to the South dated 8-25-1995. Tract Two of the Garrison survey was found to be -18' West of the East line of the West half of the Northwest quarter section due to an error he made in the bearing of the line. The Garrison survey was found to be -18' West of the East line of the West half of the Northwest quarter section due to an error he made in the bearing of the line. The Garrison survey was found to be -18' West of the East line of the West half of the Northwest quarter section due to an error he made in the bearing of the line. The Garrison survey was found to be -18' West of the East line of the West half of the Northwest quarter section due to an error he made in the bearing of the line. Therefore this survey held the East line of Tract Two to be along the East line of the said half-quarter section and the South line to be along the North line of the said Kuhn survey.

Relative position accuracy of Measurements:

This survey falls within the classification of a Rural survey and therefore has a Relative position accuracy of 0.13 feet plus 100 parts per million plus the above stated uncertainties.

Flood Hazard Statement:

The surveyed tract is located in a special Flood hazard ZONE X per the FEMA Flood Insurance rate map number 18145C0101C, the accuracy of this Flood hazard statement is subject to map scale uncertainty in location or elevation on the referenced Flood Insurance rate map.

General Subdivision Notes:

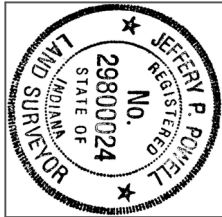
Note: The Drainage Easement shall allow access by the lot owners, County Surveyor, and County Drainage Board for the purpose of widening, deepening, sloping, improving, maintaining, replacing tile, or protecting drainage swale or subsurface tile.
Note: Prior to issuance of a certificate of occupancy for a residence, five deciduous trees with at least 1 1/2 - inch DBH at the time of planting shall be planted or three deciduous trees with a caliper measurement of over 4-in shall be preserved on the lot.
Note: Reducers or cut of Simple Subdivision prerequisites allow Simple Subdivision of a parent tract under 6-acres.
Note: Lots #1 & 2 Zoning: the building set back lines are 50' Front for primary & accessory structures and 30' Side & 30' Rear for primary and 10' for accessory structures.

Surveyor's Certification:

I, the undersigned, hereby certify that I am a Land Surveyor registered in compliance with the laws of the State of Indiana; and I do hereby further certify that I have surveyed the real estate described in the caption above and that I have subdivided the same into two tracts as shown on the hereon drawn plat. This plat correctly represents said survey and subdivision in every detail. Monuments shown are in place as located.

Witness my hand this 10 day of August, 2026.

Jeffery P. Powell
Registered Land Surveyor
No. 29800024



Owners Certification:

I, Alicia Barr, do hereby certify that I am the owners of the property described in the above captioned and that as such owners I have caused the said above described property to be surveyed and subdivided as shown on the here on drawn plat, as our free and voluntary act and deed.

Witness my hand this ____ day of _____, 2026.

Alicia Barr (Owner of Hoosier Investing LLC)

Notary Certification:

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

Given under my hand and notarial seal this ____ day of _____, 2026.

Notary Public

Plan Commission Approval:

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

By: Kevin Carson, President Plan Commission

By: Megan Hart, Secretary Plan Commission

I hereby certify that this Plat is true and accurate to the best of my knowledge as surveyed by me.

Jeffery P. Powell

Hoosier Investing LLC
Inst. 2026003711
Tract Two (East)
5,493 Acres Deed
5,655 Acres Measured
Existing Zoning "RE"

Hoosier Investing LLC
Inst. 2026003711
Tract One (West)
5,559 Acres Measured



Scale 1" = 50'

Note: Bearings based on NAD 83, Indiana East, State plane Coordinates

Legend

- Section Corner
- Set 3/8" Capped Rebar
- Set Mag Nail
- Found Monument

NE cor. NW1/4, 10-13-6
Found a railroad spike 3' below the surface and being per the Shelby County ties.
NAD 83, Indiana East, 1301, State Plane Grid Coordinates, N:1584582.266, E:276998.697
SE cor. W1/2, NW1/4, 10-13-6
A mag nail was set per a previous survey being 4.65' East of the midpoint split.

Property Details

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

Property Size: 9.42-acres.

Current Land Use: Cropland.

Current Zoning Classification

A1 (Conservation Agricultural)

This district is established for the protection of agricultural areas and buildings associated with agricultural production.

Proposed Zoning Classification

RE (Residential Estate)

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

Future Land Use per Comp Plan

Agriculture

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

Surrounding Development

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

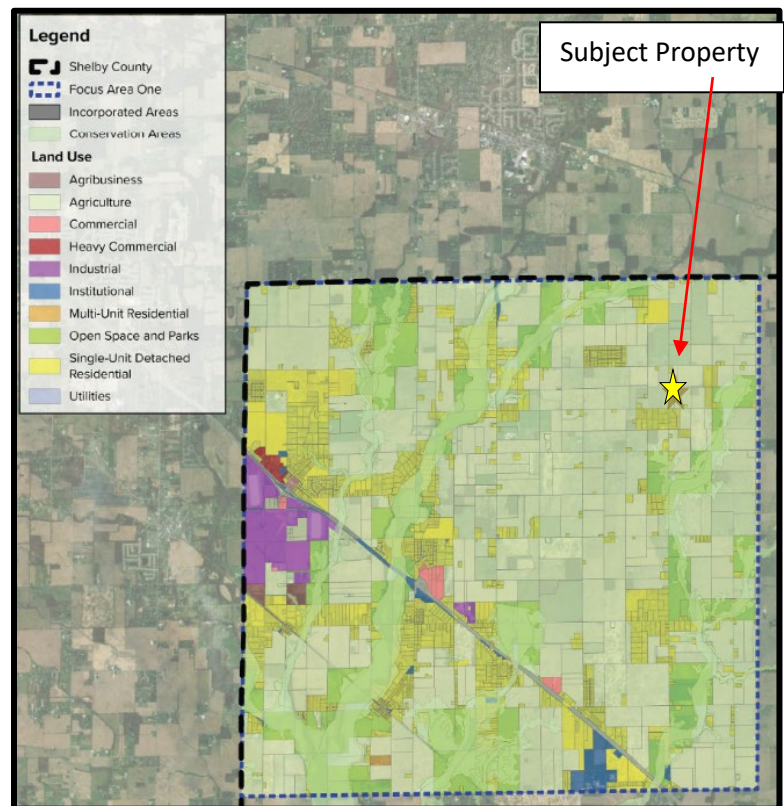
Staff Report

Case Number: RZ 26-17 (amended)
Case Name: Schwier & Co. LLC Rezoning – A1 (Conservation Agricultural) to RE (Residential Estate).

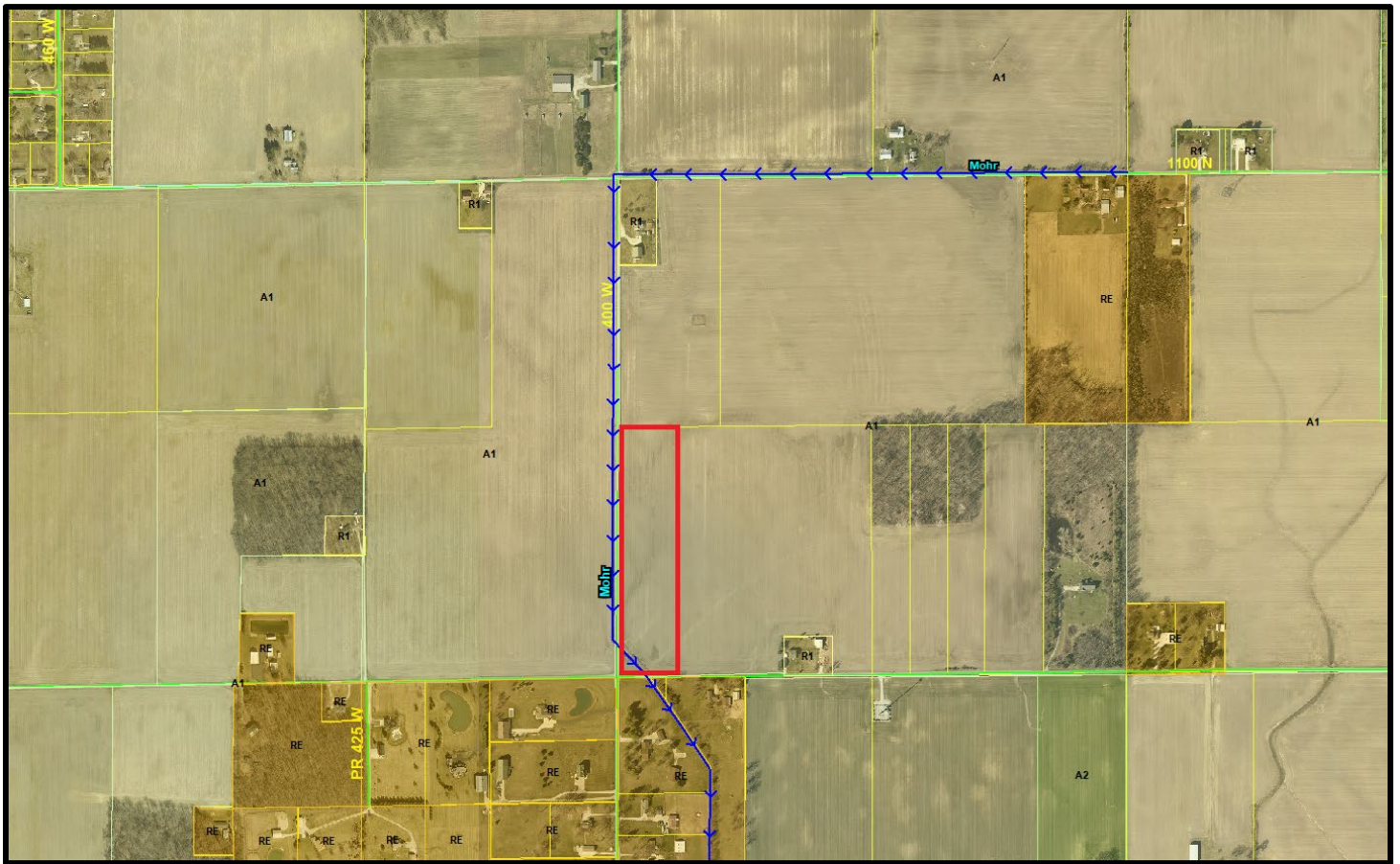
Requests

Rezoning of 9.42-acres from the A1 (Conservation Agricultural) District to the RE (Residential Estate) District to allow for future development of two single-family building lots.

Future Land Use Map – Moral Township



Property Map



Case Description

- Approval of the request would assign the appropriate zoning to the property for future single-family residential development.
- The petitioner had previously intended to subdivide the property into three building lots and then subdivide the larger lot after five years, resulting in subdivision of the property into a total of five building lots.
- The petitioner now intends to subdivide the property into two, 4.71-acre building lots.
- Subdivision of the property would require a public hearing and Plan Commission approval of a Simple Subdivision. The Plan Commission must approve any subdivision in compliance with subdivision standards. Subdivision of the property into two or three building lots would comply with all subdivision standards.
- The petitioner has not indicated an intent to re-subdivide the lots. However, re-subdivision of each lot into two building lots after five years would comply with all current subdivision standards and therefore would qualify for required Plan Commission approval.

- The Mohr Legal Drain open ditch runs across the southwest corner of the property. Water in the ditch flows south through the neighborhood located at the intersection of CR 400 W & CR 1050 N. Any septic systems on the lots with perimeter drains would likely outlet to this ditch.
- 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.
- The petitioner also owns the adjacent property to the north. The petitioner has withdrawn the zoning petition seeking to allow for residential development of this property.

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

Considerations Supporting Approval: The adjacent neighborhood to the south includes single-family residential development at a similar density to the density of residential development allowed 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

Considerations Supporting Approval: 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.

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.

Staff Recommendation

Staff recommends **APPROVAL** primarily because approval would allow for residential development in an area that includes similar residential development patterns.

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

FOUNTAIN FARMS



Property Details

Location: 83 S 425 E, Shelbyville, Liberty & Union Townships.

Property Size: 15.01-acres.

Current Land Use: Estate Residential.

Current Zoning Classification

A2 (Agricultural)

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

Proposed Zoning Classification (Lot 1)

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	Cropland
South	A2	Estate Residential
East	A1	Cropland
West	IG (City of Shelbyville)	Cropland (Proposed Data Center)

Staff Report

Case Number: RZ 26-18 / SD 26-17

Case Name: LB Renovations, LLC Rezoning – A2 (Agricultural) to RE (Residential Estate) & LB Renovations Simple Subdivision

Requests

Rezoning of 3.712-acres from the A2 (Agricultural) District to the RE (Residential Estate) District to allow for a three-lot Simple Subdivision.

Simple Subdivision to create three single-family building lots (6-acres, 5.377-acres, 3.712-acres).

Waivers of:

1. Simple Subdivision prerequisites to allow Simple Subdivision of property zoned A2.
2. Simple Subdivision design standards to allow:
 - a. A lot without 50 feet of road frontage and without frontage on a public street built to County street standards.
 - b. Side lot lines not within fifteen degrees (15°) of a right angle to the street and right-of-way.

Purpose of Subdivision Code Requirement

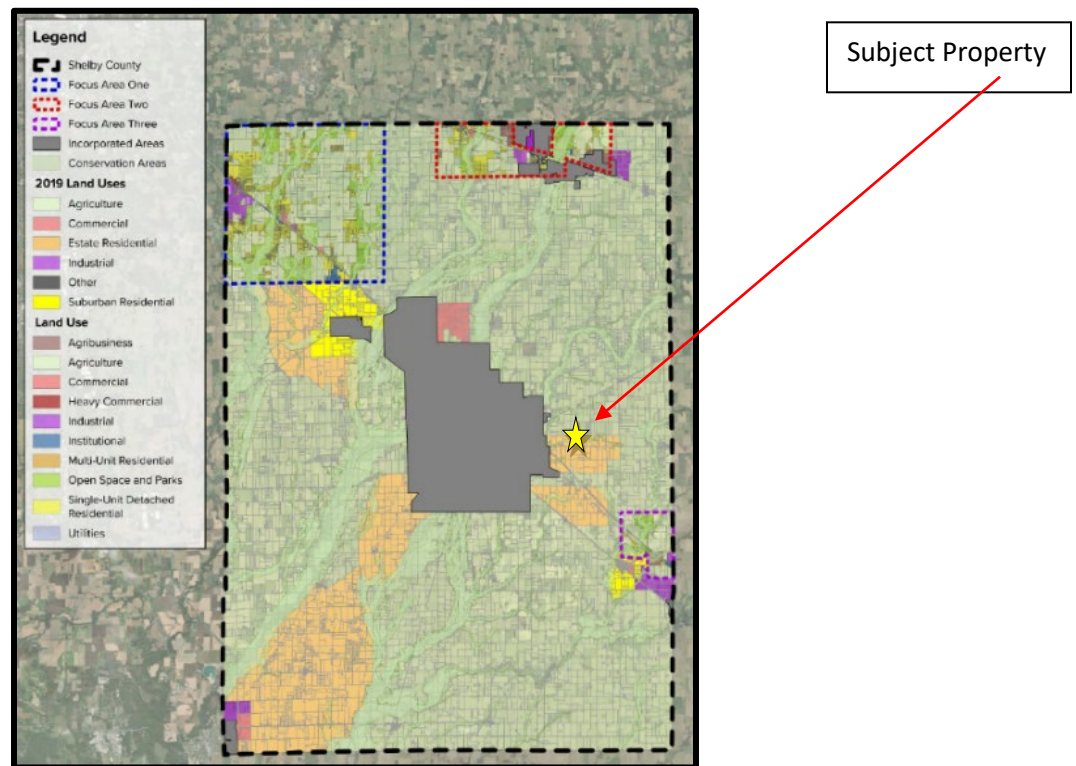
The UDO requires RE zoning for properties in residential Simple Subdivisions to limit use of lots for intense agricultural uses that may pose a nuisance to adjacent residential properties. For example, the UDO allows agritourism and keeping of large numbers of animals on property in the A2 District, however, prohibits these uses in the RE District.

The UDO requires that lots have frontage on a public road to:

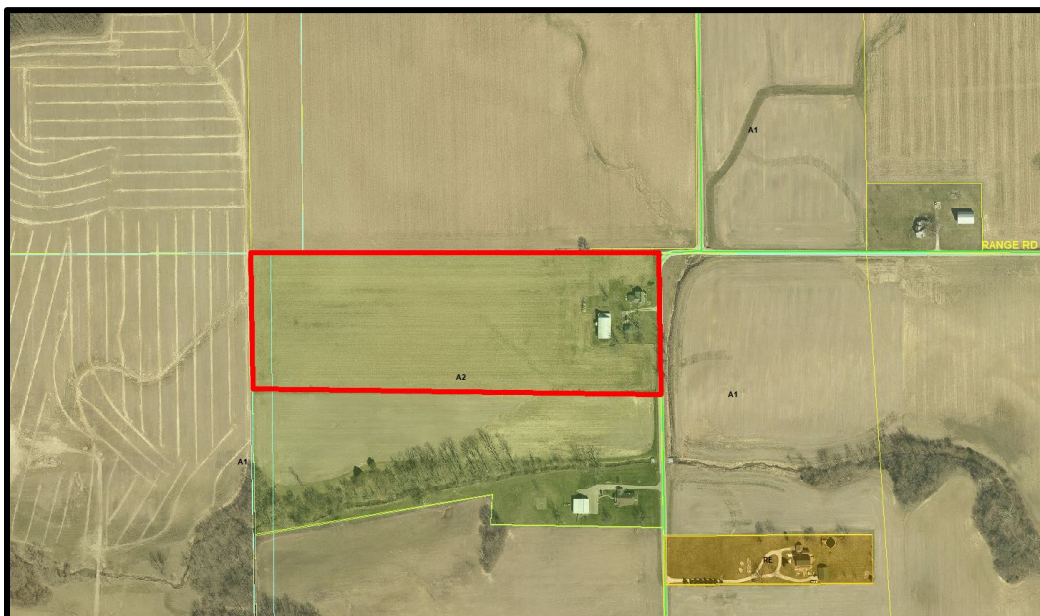
- Eliminate future disputes over the right to use and maintain a private driveway within an access easement.
- Eliminate conflicts between vehicles using a shared private driveway not built to County road specifications.

- To ensure clear visibility of property from the public road for the purpose of access by visitors and emergency vehicles.
- To promote orderly development.

Future Land Use Map



Property Map



Case Description

Case Details

- Approval of the requests would allow for development of three single-family residential building lots. Proposed Lot 1 is 3.712-acres, proposed Lot 2 is 5.377-acres, and proposed Lot 3 is 6-acres.
- The Federal Emergency Management Agency (FEMA) and Indiana Department of Natural Resources (IDNR) designated Floodway and Flood Fringe of Lewis Creek intersects the southeast corner of the property. No site development, other than a small section of the proposed driveway, would lie within the designated flood hazard area
- Proposed Lot 1 previously included a single-family residential home site. The home has been removed, and the lot currently includes a pole barn and detached garage.
- The plat shows an AT & T 30' fiber optic easement intersecting proposed Lot 3 which would prevent driveway access to the west side of the lot. Site development would likely occur within the approximately 2-acre area on the east side of the easement.

Access & Driveway

- Proposed Lot 1 and proposed Lot 2 have direct access to CR 425 E.
- Proposed Lot 2 and proposed Lot 3 would share a driveway located on proposed Lot 2.
 - The plat shows a proposed gravel driveway in a 50-foot-wide variable access, drainage, and utility easement on Lot 2 in favor of Lot 3.
 - The plat includes a note: *An easement agreement between the owner of Lot 2 and the owner of Lot 3 shall be approved by the Planning Director and recorded prior to development of Lot 3 (see minimum requirements for the easement agreement at bottom of Staff Report).*
 - 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.*
 - The plat includes a note: *Structures are prohibited in the access, drainage and utility easement and the easement shall remain a part of Lot 2 in perpetuity.* This note ensures that Lot 3 does not lose access due to obstructions or reconfiguration of the easement.
 - The plat shows a minimum driveway width of 20 feet, for the first 25 feet of the driveway measured from the centerline of the public road. This width would accommodate two vehicles entering or exiting the driveway at the same time. The plat shows a minimum width of 12 feet for the remaining portion of the driveway.

- The driveway would have a length of approximately 900-feet measured from CR 425 E to the garage of the last house using the driveway. The plat includes several provisions to address potential issues associated with use of long shared driveways.
 - The plat includes a note: *The driveway shall comply with Section 5.19 E: Long Driveways of the Shelby County Unified Development Ordinance.* The following requirements apply:
 - 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.
 - The plat shows a 9'x50' passing blister along the driveway approximately 500-feet from CR 425 E to allow vehicles to pass without pulling off onto the lawn.
 - The plat includes a note: *A 911 Address Sign for each lot utilizing the driveway shall be installed adjacent to CR 425 E that is 6"x18" or larger, double-sided, and reflective. An address sign for Lot 3 shall be installed adjacent to the front lot line along the private driveway.* This provision ensures that visitors and emergency responders can locate the properties setback from the public road.
- The driveway complies with all other requirements for residential driveways indicated in the UDO.
- 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 proposed driveway enters the property through the designated flood hazard area. GIS elevations indicate that the road sits above the Flood Elevation, however, the portion of the driveway in the flood hazard area would sit below the Flood Elevation established by IDNR. Staff has recommended elevation of the driveway to the flood elevation to reduce the likelihood that a flood would impede emergency access to the property.

Supplemental Information

- The immediate area includes primarily cropland. Blue Ridge Rd, located approximately 1/3-mile south of the property, includes rural residential lots ranging in size from ½-acre to 6-acres. The property adjoins land zoned industrial within the City limits of Shelbyville proposed for development of a data center.
- 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

Blue Ridge Rd, located approximately 1/3-mile south of the property, includes rural residential lots ranging in size from ½-acre to 6-acres. Approval of the rezoning would allow for subdivision of the property resulting in a similar pattern of residential development.

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

The property is adjacent to the City limits of Shelbyville. The City includes high-density residential development and community services to support residential use of the property.

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 any new single-family residence.

5. The Comprehensive Plan

Approval of the rezoning would allow for residential development at a density not exceeding one lot for every two acres as recommended for Estate 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 waiver to allow Simple Subdivision of property zoned A2.
 - a. The property does not directly adjoin any property in a residential zoning district. Therefore, continued use of the property for agricultural purposes would not pose a nuisance to residential properties.
3. The subdivision of land satisfies the standards of Article 07: Design Standards, pending approval of a waivers to allow a lot without 50 feet of road frontage and without frontage on a public street built to County street standards and side lot lines not within fifteen degrees (15°) of a right angle to the street and right-of-way.
 - a. Adequate provisions for property access, driveway maintenance, and emergency vehicle access will apply to development of the property.

- b. The lot configuration allows for location of the driveway outside of the designated flood hazard floodway.
4. The subdivision of land satisfies any other applicable provisions of the Unified Development Ordinance.
5. The subdivision of land satisfies the construction requirements of Shelby County's Construction Standards.

Staff Recommendation

Staff recommends **APPROVAL of the Rezoning and Simple Subdivision** primarily because the property adjoins the City limits of Shelbyville which has services to support residential development, the density of development would not exceed one lot for every two acres as recommended for Estate Residential areas by the Comprehensive Plan, and adequate provisions for property access, driveway maintenance, and emergency vehicle access will apply to development of the property.

Staff recommends a **stipulation**:

1. The portion of the driveway located in the designated flood hazard area shall be elevated to the Base Flood Elevation (814.9 NAVD88). Certified driveway elevations shall be submitted prior to issuance of a Certificate of Occupancy for any single-family residence on Lot 2 or Lot 3.

Applicant/Owner Information

Applicant:	LB Renovations, LLC (Jason Karmire) 51 W Mechanic St. Shelbyville, IN 46176	Surveyor:	Powell Land Surveying LLC 4634 N 575 E 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.

LB Renovations Simple Subdivision

Part of the West Half of the Northwest Quarter of Section 1, Township 12 North, Range 7 East and a part of the Southwest Quarter of the Southwest Quarter of Section 36, Township 13 North, Range 7 East, in Liberty & Union Townships, Shelby County, Indiana

Owner: LB Renovations, LLC, Client: Jason Karmire (Manger LB Renovations, LLC)
Site Address: 83 South, 425 East, Shelbyville, IN 46176

Parent description of the 15.11 acre tract of land owned by LB Renovations, LLC, recorded in Instrument 2025005251.

A part of the southwest quarter of the southwest quarter of Section 36, Township 13 North, Range 7 East, and a part of the west half of the northwest quarter of Section 1, Township 12 North, Range 7 East, Second Principal Meridian, and more particularly described as follows:
Beginning at the northwest corner of the northwest quarter of said Section 1, and running thence south 88 degrees 56 minutes east 1000.9 feet along a fence line to a corner post, thence north 63 degrees 44 minutes east 37.3 feet to another corner post, thence south 89 degrees 55 minutes east 359.3 feet along a fence line to an iron rod (said point being 14.7 feet north of the northeast corner of the west half of the northwest quarter of said Section 1), thence south 00 degrees 04 minutes west 488.7 feet along the east line of the west half of the northwest quarter of said Section 1, thence north 89 degrees 02 minutes west 1393.3 feet to the west line of said Section 1, thence north 468.2 feet to the point of beginning; containing 14.98 acres in said Section 1 and 0.13 acre in said Section 36, and 15.11 acres in all, and subject to all legal rights-of-way and easements.
More commonly known as 83 South 425 East, Shelbyville, Indiana 46176. [Parcel No. 73-07-36-300-003.000-019 and Parcel No. 73-1-01-100-001.000-01]

Description of Lot #1 being a 3.712 acre tract split from the 15.11 acre tract of land owned by LB Renovations, LLC, recorded in Instrument 2025005251.

A part of the West Half of the Northwest Quarter of Section 1, Township 12 North, Range 7 East and a part of the Southwest Quarter of the Southwest Quarter of Section 36, Township 13 North, Range 7 East, in Liberty & Union Townships, Shelby County, Indiana, being created from a survey (Job # 35-2026) by Jeffery Powell and being more particularly described as follows:

Commencing at the **Northwest corner of the West Half of the Northwest Quarter of the said Section 1**, being marked by a 1/2" Iron Pipe next to a wooden corner post and being per the Shelby County ties said point also being the Northwest corner of a 15.11 acre tract recorded in Instrument 2025005251; thence North 89 degrees 55 minutes 16 seconds East (Bearings based on NAD 83, Indiana East, State plane Coordinates) along the North line of the said tract and previously being described as being along a fence line a distance of 1000.90 feet to a Powell capped rebar set on the East side of a wooden corner post marking a corner of the said tract, being 2.67 feet South of the North line of the said half-quarter section and said point also being the Point of Beginning of the tract herein described; thence North 62 degrees 44 minutes 44 seconds East continuing along the North line of the said tract and being along an existing fence line a distance of 37.30 feet to a Powell capped rebar set on the North side of a wooden corner post, marking a corner of the said tract; thence North 89 degrees 05 minutes 44 seconds East continuing along the North line of the said tract a distance of 359.11 feet to a Powell capped rebar set at the point of intersection with the projection of the East line of the said half-quarter section marking the Northeast corner of the said tract and being 19.58 feet North of the calculated Northeast corner of the said half-quarter section; thence South 00 degrees 51 minutes 39 seconds East along the East line of the said half-quarter section and being along the East line of the said tract a distance of 368.69 feet to a mag nail with a Powell washer; thence South 89 degrees 56 minutes 38 seconds West a distance of 75.01 feet to a Powell capped rebar; thence South 54 degrees 43 minutes 47 seconds West a distance of 121.19 feet to a Powell capped rebar; thence South 89 degrees 58 minutes 44 seconds West a distance of 216.11 feet to a Powell capped rebar; thence North 01 degrees 03 minutes 40 seconds West a distance of 416.10 feet to the point of beginning, containing 0.145 Acres in Section 36 and 3.567 Acres in Section 1 for a Total **3.712 Acres** more or less and being subject to any and all easements, right of ways and restrictions.

Description of Lot #2 being a 5.377 acre tract split from the 15.11 acre tract of land owned by LB Renovations, LLC, recorded in Instrument 2025005251.

A part of the West Half of the Northwest Quarter of Section 1, Township 12 North, Range 7 East, in Liberty Township, Shelby County, Indiana, being created from a survey (Job # 35-2026) by Jeffery Powell and being more particularly described as follows:

Commencing at the **Northwest corner of the West Half of the Northwest Quarter of the said Section 1**, being marked by a 1/2" Iron Pipe next to a wooden corner post and being per the Shelby County ties said point also being the Northwest corner of a 15.11 acre tract recorded in Instrument 2025005251; thence North 89 degrees 55 minutes 16 seconds East (Bearings based on NAD 83, Indiana East, State plane Coordinates) along the North line of the said tract and previously being described as being along a fence line a distance of 559.35 feet to a Powell capped rebar, being 1.49 feet South of the North line of the said half-quarter section and said point also being the Point of Beginning of the tract herein described; thence South 89 degrees 55 minutes 16 seconds East continuing along the North line of the said tract a distance of 441.55 feet to a Powell capped rebar set on the East side of a wooden corner post marking a corner of the said tract; thence South 01 degrees 03 minutes 40 seconds East a distance of 416.10 feet to a Powell capped rebar; thence North 89 degrees 58 minutes 44 seconds East a distance of 216.11 feet to a Powell capped rebar; thence North 54 degrees 43 minutes 47 seconds East a distance of 121.19 feet to a Powell capped rebar; thence North 89 degrees 56 minutes 38 seconds East a distance of 75.01 feet to a mag nail with a Powell washer set on the East line of the said half-quarter section and being the East line of the said tract; thence South 00 degrees 51 minutes 39 seconds East along the East line of the said half-quarter section and the East line of the said tract a distance of 120.00 feet to a 5/8" rebar set over a stone at the Southeast corner of the said tract; thence South 89 degrees 58 minutes 44 seconds West along the South line of the said tract a distance of 832.47 feet to a Powell capped rebar; thence North 01 degrees 03 minutes 40 seconds West a distance of 466.88 feet to the point of beginning, containing **5.377 Acres** more or less and being subject to a 50 foot wide-Variable Access, Drainage and Utility Easement along the entire South side of the above described tract being for the befit of Lot #3 being a 6.000 Acre tract and a 30 foot wide AT&T easement recorded in Book 254, Page 625and being subject to any and all easements, right of ways and restrictions.

Description of Lot #3 being a 6.000 acre tract split from the 15.11 acre tract of land owned by LB Renovations, LLC, recorded in Instrument 2025005251.

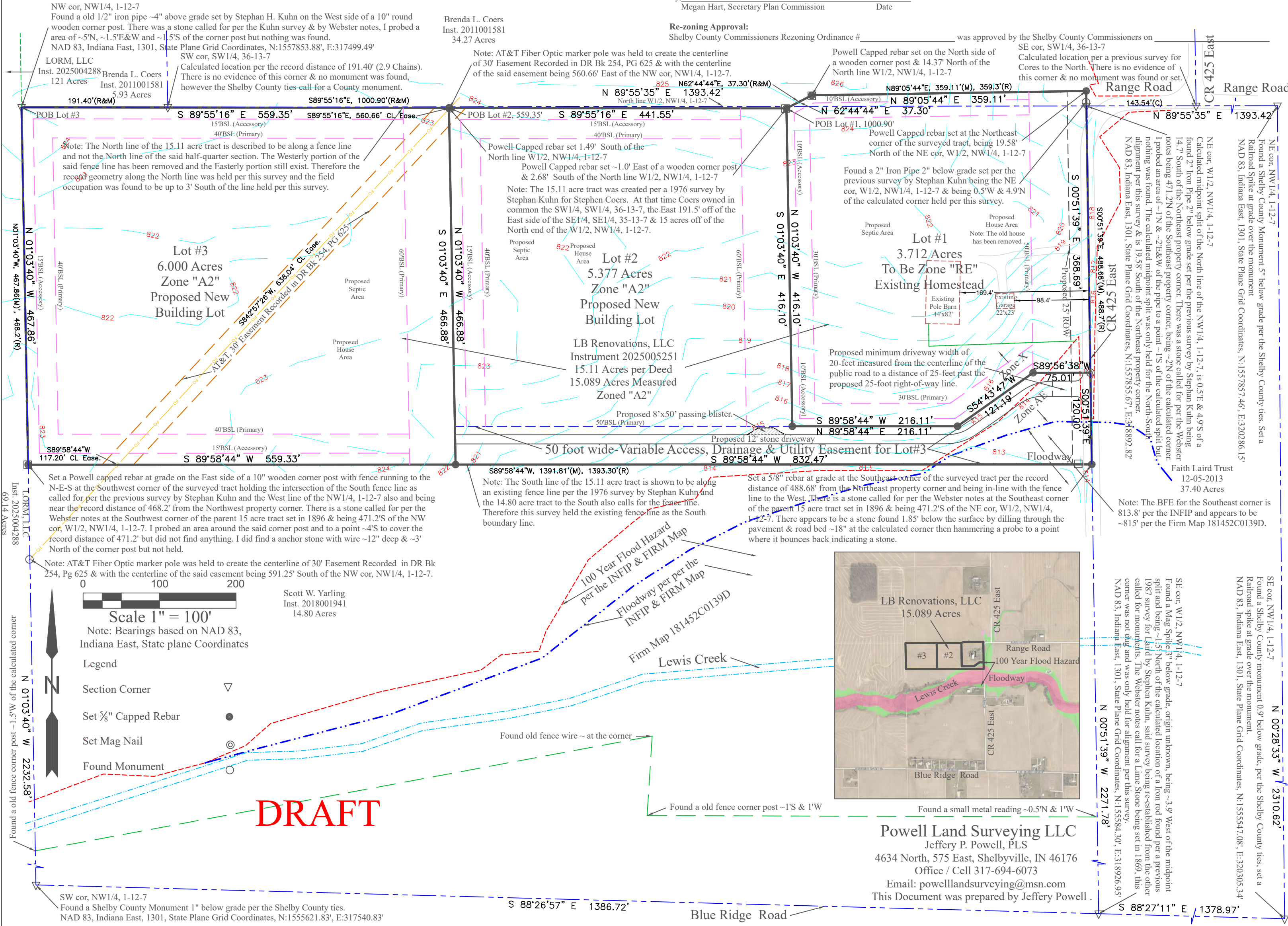
A part of the West Half of the Northwest Quarter of Section 1, Township 12 North, Range 7 East, in Liberty Township, Shelby County, Indiana, being created from a survey (Job # 35-2026) by Jeffery Powell and being more particularly described as follows:

Beginning at the **Northwest corner of the West Half of the Northwest Quarter of the said Section 1**, being marked by a 1/2" Iron Pipe next to a wooden corner post and being per the Shelby County ties said point also being the Northwest corner of a 15.11 acre tract recorded in Instrument 2025005251 and said point also being the Point of Beginning of the tract herein described; thence North 89 degrees 55 minutes 16 seconds East (Bearings based on NAD 83, Indiana East, State plane Coordinates) along the North line of the said tract and previously being described as being along a fence line a distance of 559.35 feet to a Powell capped rebar, being 1.49 feet South of the North line of the said half-quarter section; thence South 01 degrees 03 minutes 40 seconds East a distance of 466.88 feet to a Powell capped rebar set on the South line of the said tract; thence South 89 degrees 58 minutes 44 seconds West along the South line of the said tract a distance of 559.33 feet to a Powell capped rebar set on the East side of a wooden corner post at the point of intersection with the West line of the said half-quarter section marking the Southwest corner of the said tract; thence North 01 degrees 03 minutes 40 seconds West along the West line of the said half-quarter section a distance of 467.86 feet to the point of beginning, containing **6.000 Acres** more or less and being with to a 50 foot wide-Variable Access, Drainage and Utility Easement along the entire South side of Lot #2 being a 5.377 Acre tract and being subject to a 30 foot wide AT&T easement recorded in Book 254, Page 625 and to any and all easements, right of ways and restrictions.

Surveyor's Report:

This report is in accordance with Title 865, Article 1.1, Chapter 12, Sections 1 through 34, of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of: Availability and condition of the reference monuments. Occupation or possession lines. Clarity or ambiguity of the record description used and / or adjoiner's description. This survey falls within the classification of a Rural survey and therefore has a Relative position accuracy of 0.13 feet plus 100 parts per million.

Purpose of the survey:



The purpose of this survey is to split the 15.11 acre tract of land owned by LB Renovations, LLC, recorded in Instrument 2025005251 into three lots with Lot #1 being 3.912 acres and being the existing Homestead, Lot #2 being 5.177 acres and being a new building lot, and Lot #3 being a 6.000 acres and being a new building lot per the owners instructions. The field work was performed on 7-9-2026 and other dates.

Availability and condition of the reference monuments:

The section corners held to established the West Half of the Northwest Quarter of Section 1, Township 12 North, Range 7 East per this survey are as shown on the survey plat with an explanation of the division of the quarter section.
The monuments shown on the survey plat and the uncertainty associated with the said corners are represented on the hereon drawn survey plat and within this report by Record vs Measured vs Calculated. All monuments were found or set as indicated on the survey plat or within this report.

Occupation or possession lines:

There is a field division line along the Westerly 1000' of the North line that is 0° to ~3°S and an existing old farm fence along the Easterly part of the North line that is in section 36. The East line is approximately along the center of CR 425 East. There are section of old fencing and fence remains approximately along the South and West lines of the parent tract. There is also an AT&T Fiber Optic line with marker poles on the North and West lines of the W1/2, NW1/4 that were held to create the centerline of the 30' Easement. The new division lines were created per the owners instructions.

Clarity or ambiguity of the record description used and / or adjoiner's description:

The North line of the 15.11 acre surveyed tract is described to be along a fence line and not the North line of the said half-quarter section. The Westerly portion of the said fence line has been removed and the Easterly portion still exist. Therefore, the record geometry along the North line was held per this survey which appears to agreed with the existing old fence lines. The East line of the surveyed tract was held to be along the East line of the said half-quarter section calculated per this survey. The South line of the surveyed tract is shown to be along an existing fence line per the 1976 survey by Stephan Kuhn and the 14.80 acre tract to the South also calls for the fence line. Therefore, this survey held the existing fence line as the South boundary line. The West line of the surveyed tract was held to be along the West line of the said half-quarter section established per this survey and being approximately along an existing fence line.

Relative position accuracy of Measurements:

This survey falls within the classification of a Rural survey and therefore has a Relative position accuracy of 0.13 feet plus 100 parts per million and is subject to the findings of the previous said survey.

Flood Hazard Statement:

The surveyed tract is mostly located in a special flood hazard ZONE X except for a ~200' x 175' triangular area located in the Southeast corner of the surveyed tract per the FEMA Flood Insurance rate map number 18145C0138D, the accuracy of this flood hazard statement is subject to map scale uncertainty in location or elevation on the referenced flood insurance rate map.

General Subdivision Notes:

-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.
-Note: Structures are prohibited in the access, drainage and utility easement and the easement shall remain a part of Lot 2 in perpetuity.
-Note: At least 3 deciduous trees with a caliper measurement of over 4-in shall be preserved on Lot 1.
-Note: Lot #1 "RE" Zoning, the building set back lines are 50' Front for primary & accessory structures and 30' Side & 30' Rear for primary and 10' for accessory structures.
-Note: Lots #2&3 "A2" Zoning, the building set back lines are 60' Front for primary & accessory structures and 40' Side & 40' Rear for primary and 15' for accessory structures, except the South building set back lines of Lot #2 is 50' to be along the North line of the 50' Access, Drainage & Utility easement.

Surveyor Certification:

I, the undersigned, hereby certify that I am a Land Surveyor registered in compliance with the laws of the State of Indiana; and I do hereby further certify that I have surveyed the real estate described in the caption above and that I have subdivided the same into two tracts as shown on the hereon drawn plot. This plat correctly represents said survey and subdivision in every detail. Monuments shown are in place as located. Witness my hand this 16 day of September, 2026.

Jeffery P. Powell

Jeffery P. Powell
Registered Land Surveyor
No. 29800024



"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law."

Jeffery P. Powell

Owners Certification:

I, Jason Karmire, do hereby certify that I am the owners of the property described in the above captioned and that as such owners I have caused the said above described property to be surveyed and subdivided as shown on the here on drawn plat, as our free and voluntary act and deed.

Witness my hand this ____ day of _____, 2026.

Jason Karmire (Manger LB Renovations, LLC)

Notary Certification:

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

Given under my hand and notarial seal this ____ day of _____, 2026.

Notary Public

Plan Commission Approval:

Approved by the Shelby County Plan Commission in accordance with Subdivision Regulations with waivers of design standards.
-Waivers of Simple Subdivision design standards to allow a lot without 50-feet of road frontage and without frontage on a public street built to County street standards.
-Waiver of Simple Subdivision prerequisites to allow Simple Subdivision of property zoned A2.

By:

Kevin Carson, President Plan Commission Date

By:

Megan Hart, Secretary Plan Commission Date

Re-zoning Approval:

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

SE cor, SW1/4, 36-13-7
Calculated location per a previous survey for Cores to the North. There is no evidence of this corner & no monument was found or set.

POWELL CAPPED REBAR SET ON THE NORTH SIDE OF A WOODEN CORNER POST & 14.37' NORTH OF THE NORTH LINE W1/2, NW1/4, 1-12-7

POWELL CAPPED REBAR SET AT THE NORTHEAST CORNER OF THE SURVEYED TRACT, BEING 19.58' NORTH OF THE NE COR, W1/2, NW1/4, 1-12-7

Found a 2" Iron Pipe 2" below grade set per the previous survey by Stephan Kuhn being the NE cor, W1/2, NW1/4, 1-12-7 & being 0.5'W & 4.9'N of the calculated corner held per this survey.

Calculated midpoint split of the North line of the NW1/4, 1-12-7, is 0.5'E & 4.9'S of a found 2" Iron Pipe 2" below grade set per the previous survey by Stephan Kuhn being 14.7' South of the Northeast property corner. There was a stone called for per the Webster notes being 471.2'N of the Southeast property corner, being ~2'N of the calculated corner. I probed an area of ~1'N & ~2'E&W of the pipe to a point ~1'5' of the calculated split but nothing was found. The calculated midpoint split was only held for the North-South alignment per this survey & is 19.58' South of the Northeast property corner. NAD 83, Indiana East, 1301, State Plane Grid Coordinates, N:1557853.67, E:348892.82

NE cor, NW1/4, 1-12-7
Found a Shelby County Monument 5' below grade per the Shelby County ties. Set a Railroad Spike at grade over the monument
NAD 83, Indiana East, 1301, State Plane Grid Coordinates, N:1557857.46, E:320286.15

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