

**Shelby County Plan Commission
Meeting Minutes
Tuesday
July 22, 2025**

Members Present:

Kevin Carson
Alicia Barr
Andrew Newkirk
Megan Hart
Jeff Powell
Jason Abel
Tony Sipes
Troy Merrick

Members Absent:

Mike McCain

Staff Present:

Desiree Calderella – Planning Director
Jody Butts – Plan Commission Attorney

Call to Order and Roll Call:

Kevin Carson called the July 22, 2025, meeting to order at 7:00 pm in Room 208 A at the Court House Annex.

Approval of Minutes:

Andrew Newkirk made a motion to approve the minutes from June 24, 2025. Tony Sipes seconded the motion. The minutes were approved by 7-0-1, with Troy Merrick abstaining.

Old Business:

None.

New Business:

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

Desiree Calderella read the petition into the record and stated that Staff recommends approval. She indicated that she had provided the Board with the most recent version of the plat for review separate from the meeting materials.

Nathan Runnebohm represented the petitioner. He explained that the petitioner had split the three-acre lot from the petitioner's family farm and intended to sell the lot for residential development. He indicated that soil samples show that the lot can accommodate a septic system. He indicated that a potential buyer of the property has submitted an offer contingent on approval of the rezoning and subdivision.

Doug Dagley was present.

The Board opened the hearing for public comment.

Kim Livingston, the potential buyer of the property, explained that she plans to develop the property with a home, garage, and driveway.

Melissa Freeman, who owns property at 7619 E 300 S, indicated that she does not oppose development of the one lot included in the petition but expressed concern with future development of all three lots split out of the farmland by the petitioner. She explained that most properties in the area have the A1 or A2 zoning designation and that the Comprehensive Plan recommends agricultural land use for most of the area rather than simple subdivisions. She requested that the petitioner change the name of the subdivision. She referenced a discrepancy in the subdivision survey along her west property line. She expressed concern with the potential for erosion and additional drainage onto her property. She asked why the County did not require the petitioner to rezone all three lots.

The Board closed the public comment portion of the hearing.

Kevin Carson asked why the petitioner had named the subdivision Freeman Overlook.

Nathan Runnebohm stated that he had not chosen the name.

Desiree Calderella explained that the name of a subdivision cannot replicate the name of any existing subdivision. She stated that the proposed subdivision name does not replicate the name of any existing subdivision and therefore complies with ordinance requirements.

Nathan Runnebohm addressed the discrepancy with the survey referenced by Ms. Freeman.

Jeff Powell indicated that he had reviewed the survey that established the lot and did not have any concerns.

Desiree Calderella explained that the petitioner had provided a subdivision plat stamped by a registered surveyor as required by the UDO. She explained that property owners with conflicting surveys could address the matter through the civil courts.

Nathan Runnebohm explained that the buyer and Ms. Freeman had come to an agreement regarding the property line. He described the drainage pattern across the property and indicated that transition of the property from cropland to lawn should limit erosion concerns. He stated that the petitioner does not currently plan to develop the other two lots that he had split from the farmland.

Jeff Powell explained that the other two lots do not qualify for residential building permits. He agreed that transition of the property from cropland to lawn should limit erosion concerns.

Jason Abel asked if the proposed drainage easement would allow for creation of a County Legal Drain.

Jeff Powell explained that it would not create a Legal Drain, but it would prohibit development in the easement.

Jeff Powell made a motion to vote on the petition and Jason Abel seconded that motion. **The petition was APPROVED 7-1**, with Kevin Carson casting the dissenting vote.

Jason Abel made a motion to adopt the Findings of Fact as stated in the Staff Report. Jeff Powell seconded the motion. The Findings of Fact as stated in the Staff Report were adopted 7-0.

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

Desiree Calderella read the petition into the record and stated that Staff recommends approval.

Nathan Runnebohm represented the petitioner and had no additional comment.

Jason Abel indicated that final development approval would require Technical Review Committee review and approval of a detailed site plan.

The Board opened the hearing for public comment.

Jenny Hamilton, real estate agent for the buyer, asked about the party responsible for addressing any future issue that arises with drainage.

Melissa Freeman expressed additional concerns about drainage.

The Board discussed drainage.

Desiree Calderella suggested that the petitioner, buyers, and Ms. Freeman contact the County Surveyor to discuss any drainage concerns.

The Board closed the public comment portion of the hearing.

Nathan Runnebolm addressed the additional concerns about drainage.

Jeff Powell asked for inclusion of additional language on the plat because the plat does not comply with the standards for a Rule 12 survey.

Doug Dalgey indicated that he had included this requested language on the plat prepared for signatures.

Jeff Powell suggested that the petitioner place a drainage easement over the waterway on the adjacent property which enters the drainage easement shown on the plat.

Tony Sipes asked if the vote of the Plan Commission would approve the plat with the name Freeman Overlook.

Desiree Calderella stated yes.

Jeff Powell made a motion to vote on the petition and Andrew Newkirk seconded that motion. **The petition was APPROVED 6-0-2**, with Kevin Carson and Tony Sipes casting the dissenting votes.

Discussion:

None.

Adjournment:

With no further business to come before the Board, Jeff Powell made a motion to adjourn. Megan Hart seconded that motion. The meeting was adjourned.