

Shelby County Plan Commission

March 24, 2026, at 7:00 PM

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MEETING AGENDA

Shelby County Plan Commission
March 24, 2026

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

Minutes from the February 24, 2026, meeting.

OLD BUSINESS

None.

NEW BUSINESS

RZ 26-06 – THOMPSON 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 at 1060 E 850 N, Morristown, Van Buren Township.

SD 26-05 – PEACEFUL ACRES SIMPLE SUBDIVISION: Simple Subdivision of a 3-acre, single-family building lot from a 30-acre parent tract and waivers of subdivision standards. Located at 1060 E 850 N, Morristown, Van Buren Township.

RZ 26-07 – ABERNATHY REZONING: Rezoning of 1.24-acres from the RE (Residential Estate) District to the R1 (Single-Family Residential) District to allow for a two-lot Simple Subdivision. Located at 9928 N 100 W, Fountaintown, Van Buren Township.

SD 26-06 – ALEXANDER SIMPLE SUBDIVISION: Simple Subdivision of 5.06-acres into one new 3.81-acre, single-family building lot and a 1.24-acre lot including an existing single-family residence and waivers of subdivision standards. Located at 9928 N 100 W, Fountaintown, Van Buren Township.

RZ 26-08 – DIEMER REZONING: Rezoning of 5-acres from the A1 (Conservation Agricultural) District to the A2 (Agricultural) District to allow for a one-lot Simple Subdivision. Located at 2702 N Knighthood Grove, Shelbyville, Marion Township.

SD 26-07 – DIEMER SIMPLE SUBDIVISION: Simple Subdivision of a 5-acre, single-family building lot from a 145-acre parent tract and waivers of subdivision standards. Located at 2702 N Knighthood Grove, Shelbyville, Marion Township.

DISCUSSION

None.

ADJOURNMENT

The next regular meeting of the Shelby County Plan Commission is scheduled for Tuesday, **April 28, 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/84416086282?pwd=yLAuSolJbXTaR8ZBFOLOj9VYc0CioX.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

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

Jeremy Ruble, Member: Council Representative

Jeff Powell, Member: County Surveyor

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

Property Details

Location: 1060 E 850 N, Morristown, Van Buren Township.

Property Size: 3-acres.

Current Land Use: Estate Residential.

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	Estate Residential
South	A1	Cropland
East	A2	Woodland/Cropland
West	A1	Woodland/Cropland

Staff Report

Case Number: RZ 26-06 / SD 26-05
Case Name: Thompson Rezoning – A1 (Conservation Agricultural) to RE (Residential Estate) & Peaceful Acres Simple Subdivision

Requests

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

Simple Subdivision of a 3-acre, single-family building lot from a 30-acre parent tract.

Waivers of Simple Subdivision design standards to allow a lot:

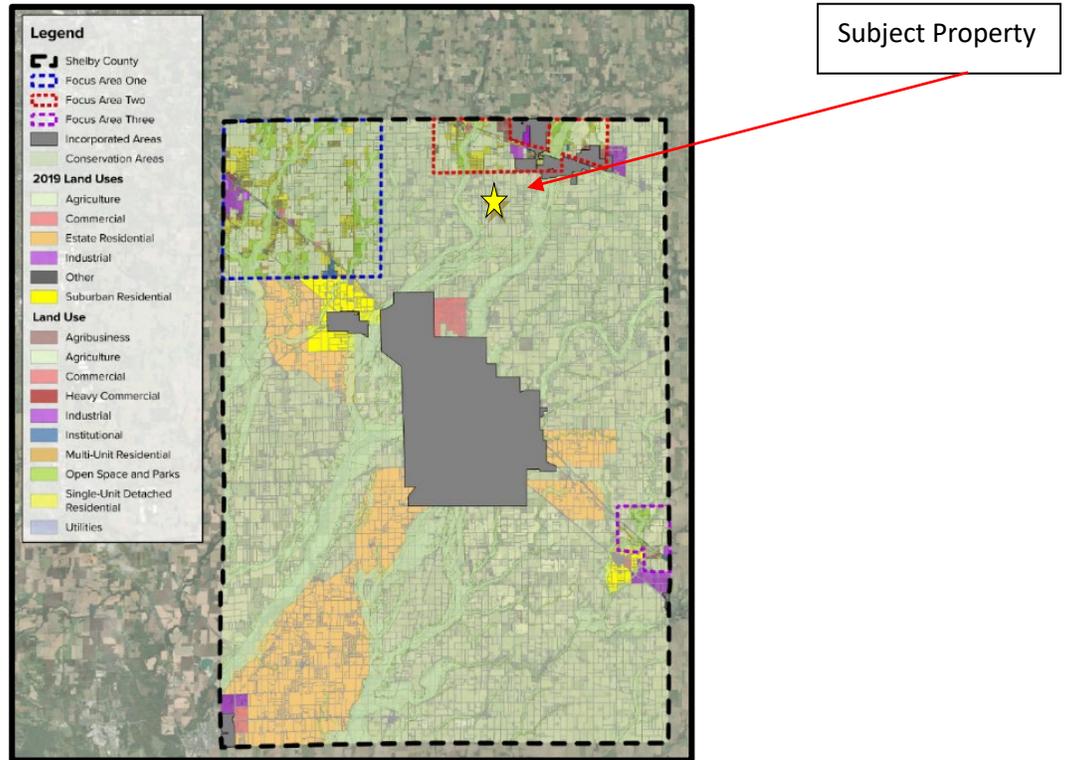
1. Without 160-feet of road frontage;
2. Without frontage on a public street built to County street standards.

Purpose of Subdivision Code Requirement

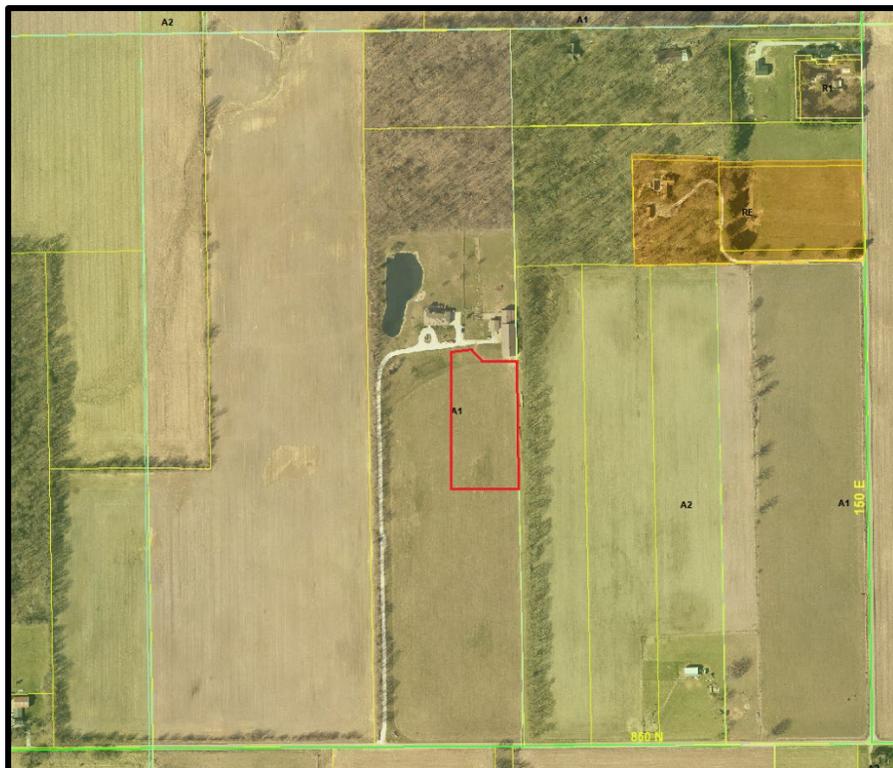
The UDO requires that lots have frontage on a public road to:

- Eliminate future disputes over the 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

- Approval of the requests would allow for development of one, 3-acre single-family residential building lot. The grandson of the current property owner intends to build a home on the property.
- The surrounding area includes predominantly cropland and a small residential area to the northeast consisting of lots between 1-acre and 15-acres.
- The property does not have frontage on a public road. The plat shows access through a ¼-mile shared gravel driveway which currently provides access to the home on the remaining tract.
 - The plat shows a 40-foot-wide ingress/egress/utility easement providing access over the existing driveway.
 - The plat includes a note that an easement agreement between the property owner and the owner of the driveway shall be approved by the Planning Director (see minimum requirements for the easement agreement at bottom of Staff Report).
 - The plat includes required driveway standards to accommodate two vehicles passing on the driveway at the same time and to accommodate emergency vehicles, specifically:
 - A minimum driveway width of 20 feet, for the first 50 feet of the driveway measured from the centerline of the public road. The plat shows a minimum width of 11 feet for the remaining portion of the driveway.
 - A 9' x 20' passing blister at approximately the half-way point of the driveway.
 - A 911 Address Sign that is 6"x18" or larger, double-sided, and reflective identifying the address of the property installed near the public road.
 - Compliance with *Section 5.19 E: Long Driveways* of the UDO which requires:
 - A loop or turn-around at the end of the driveway to accommodate a 30-foot-long vehicle.
 - Driveway surface, culverts, and bridges designed to accommodate a 30,000 lb. vehicle.
 - No loop or curve that restricts movement of a 45-foot-long vehicle.
 - No obstructions preventing a 45-foot-long vehicle 12-feet in height from traversing the driveway.
 - 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 property will sit near a barn and the septic system on the remaining tract. However, the barn and septic system will comply with the minimum setback requirements from the new property lines.
- The Siefert Legal Drain Tile is located approximately ¼-mile northwest of the property. The County Surveyor has verified the approximate location of the tile.
- The USDA Soil Survey classifies the property as ‘Prime Farmland’.
- The Technical Advisory Committee (TAC) / Site Plan Review Committee would review a detailed site plan including structure layout, elevation of development, drainage infrastructure, and septic system design for compliance with County codes prior to issuance of permits for a new single-family residence.

Staff Analysis Findings of Fact

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

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

Residential development of the property would not conflict with adjacent residential development to the northeast.

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

The USDA Soil Survey classifies the property as ‘Prime Farmland’. The Comprehensive Plan discourages new residential subdivisions that remove prime farmland from production. However, lack of significant contiguous tillable acreage and the intermittent use of the property for agricultural purposes renders the property desirable for residential development.

3. The Conservation of Property Values throughout the Jurisdiction

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

4. Responsible Development and Growth

The Technical Advisory Committee (TAC) / Site Plan Review Committee would review a detailed site plan including structure layout, elevation of development, drainage infrastructure, and septic system design for compliance with County codes prior to issuance of permits for a new single-family residence. Adequate provisions for property access, driveway maintenance, and emergency vehicle access will apply to development of the property without road frontage.

5. The Comprehensive Plan

The USDA Soil Survey classifies the property as ‘Prime Farmland’. The Comprehensive Plan discourages new residential subdivisions that remove prime farmland from production. However, lack of significant contiguous tillable acreage and the intermittent use of the property for agricultural purposes renders the property desirable for residential development. Additionally, approval of the rezoning would not result in the residential density of

the area exceeding one lot for every five acres as recommended for agricultural areas by the Comprehensive Plan.

Simple Subdivision: Staff has reviewed the proposed plat and has determined:

1. The subdivision of land is consistent with the Shelby County Comprehensive Plan.
2. The subdivision of land satisfies the development requirements of Article 06: Subdivision Types.
3. The subdivision of land satisfies the standards of Article 07: Design Standards, pending waivers to allow a lot without 160-feet of road frontage and without frontage on a public street built to County street standards.
 - a. Adequate provisions for property access, driveway maintenance, and emergency vehicle access will apply to development of the property.
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.**

The USDA Soil Survey classifies the property as 'Prime Farmland'. The Comprehensive Plan discourages new residential subdivisions that remove prime farmland from production. However, lack of significant contiguous tillable acreage and the intermittent use of the property for agricultural purposes renders the property desirable for residential development. Adequate provisions for property access, driveway maintenance, and emergency vehicle access will apply to development of the property without road frontage.

Applicant/Owner Information

Applicant:	Charlie Thompson 1060 E 850 N Morristown, IN 46161	Surveyor:	Scott T Sumerford 3149 N Riley Hwy. Shelbyville, IN 46176
Owner:	Danny & Chris Overley 1060 E 850 N Morristown, IN 46161		

Minimum Requirements for Easement Agreement

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

Property Details

Location: 9928 N 100 W,
Fountaintown, Van Buren Township.

Property Size: 5.06-acres.

Current Land Use: Estate Residential /
Keeping of Farm Animals.

Current Zoning Classification

RE (Residential Estate)

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

Proposed Zoning Classification for Lot 1

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

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 26-07 / SD 26-06

Case Name: Abernathy Rezoning – RE (Residential Estate) to R1 (Single-Family Residential) & Alexander Simple Subdivision

Requests

Rezoning of 1.24-acres from the RE (Residential Estate) District to the R1 (Single-Family Residential) District to allow for a two-lot Simple Subdivision.

Simple Subdivision of 5.06-acres into one new 3.81-acre, single-family building lot and a 1.24-acre lot including an existing single-family residence.

Waivers of Simple Subdivision prerequisites to allow:

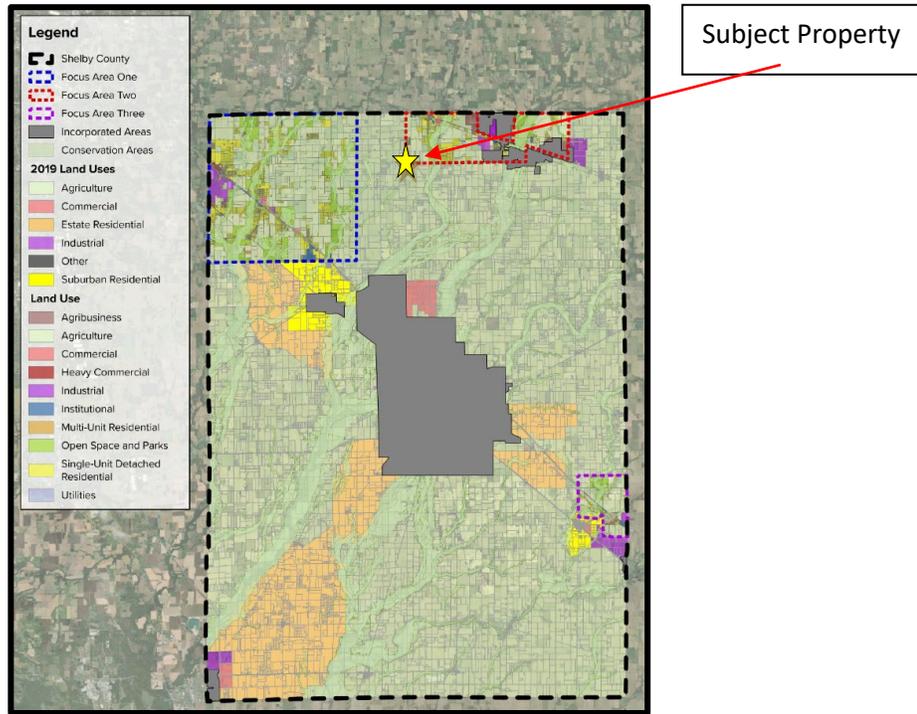
1. Subdivision of a parent tract under 6-acres;
2. Subdivision of property zoned R1.

Purpose of Subdivision Code Requirement

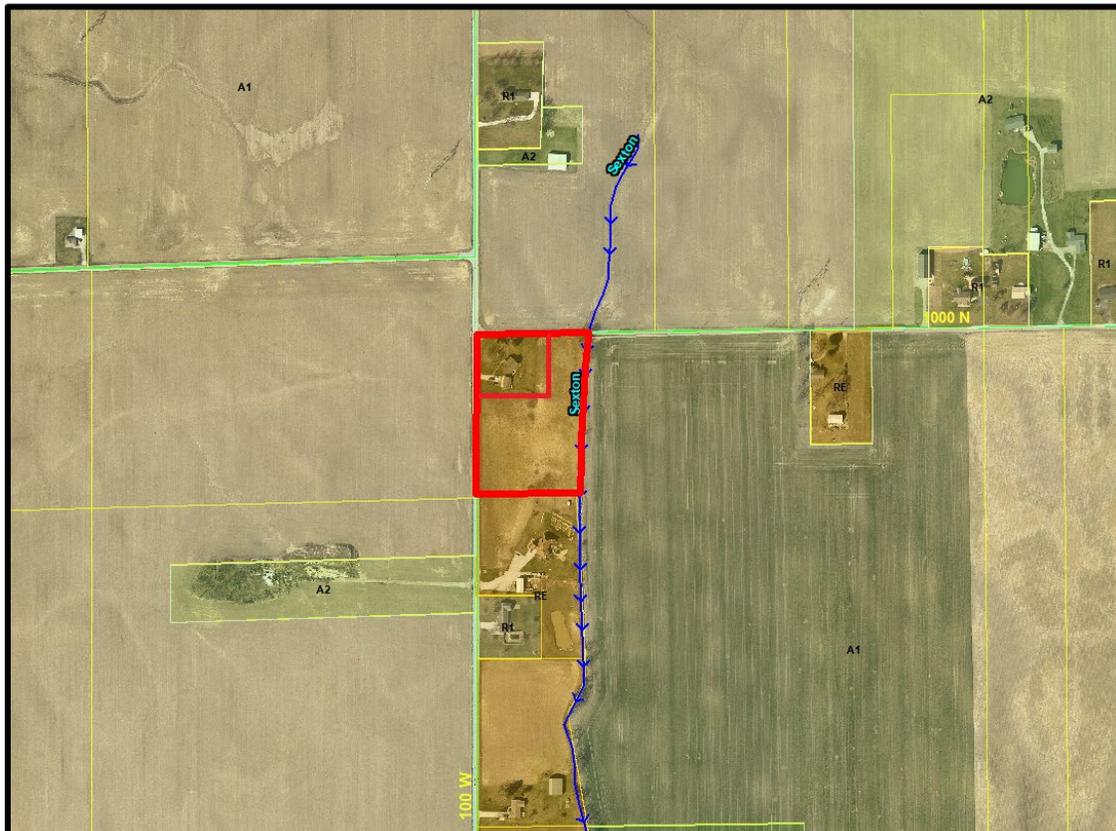
The UDO limits the size of the parent tract to at least 6-acres to discourage re-subdivision of 5-acre residential tracts created prior to 1999.

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 one new 3.81-acre single-family building lot.
- The second proposed lot in the subdivision includes an existing single-family residence, septic system, and detached garage.
- The rezoning only applies to the lot including the existing structures because the lot would retain less than 2-acres. The UDO requires a minimum lot size of 2-acres for properties in the current RE zoning district.
- The Sexton Regulated Legal Drain Open Ditch runs along the east side of the property. The plat shows the 75-foot legal drain easement from top-of-bank and designates the easement as a 'no disturb zone.'
- The surrounding area includes cropland and single-family residential homesites generally on lots between 1-acre and 5-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

The size of the proposed lot would not conflict with the size of other single-family residential properties in the area.

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

Location of the property within a rural residential neighborhood renders rezoning of the property appropriate to allow for residential development.

3. The Conservation of Property Values throughout the Jurisdiction

Approval of the rezoning would allow for creation of an additional building lot. Development of the property for residential purposes would have no perceivable impact on property values throughout the County.

4. Responsible Development and Growth

Approval of the rezoning would allow for creation of an additional building lot. 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 on the new building lot.

5. The Comprehensive Plan

Approval of the rezoning would not result in the removal of cropland from production in an area designated for agriculture 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 for Simple Subdivision of a parent tract under 6-acres and Simple Subdivision of property zoned R1.
 - a. Approval of the waivers would allow for creation of an additional building lot on a residential property rather than removing cropland from production in an area designated for agriculture 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 not result in the removal of cropland from production in an area designated for agriculture by the Comprehensive Plan.

Applicant/Owner Information

Applicant:	Keith Abernathy 9790 N 100 W Fountaintown, IN 46130	Surveyor:	Scott T Sumerford 3149 N Riley Hwy. Shelbyville, IN 46176
Owner:	Chad & Lindsay Anernathy 8608 N 300 E Morristown, IN 46161		

Property Details

Location: 2702 N Knighthood Grove, Shelbyville, Marion Township.

Property Size: 5-acres.

Current Land Use: Agriculture.

Current Zoning Classification

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

Proposed Zoning Classification

A2 (Agricultural)
This district is established for general agricultural areas and buildings associated with agricultural production.

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	Agriculture
South	A2	Estate Residential
East	A1	Cropland
West	A1	Cropland

Staff Report

Case Number: RZ 26-08 / SD 26-07
Case Name: Diemer Rezoning – A1 (Conservation Agricultural) to A2 (Agricultural) & Diemer Simple Subdivision

Requests

Rezoning of 5-acres from the A1 (Conservation Agricultural) District to the A2 (Agricultural) District to allow for a one-lot Simple Subdivision.

Simple Subdivision of a 5-acre, single-family building lot from a 145-acre parent tract.

Waivers of:

1. Simple Subdivision prerequisites to allow for Simple Subdivision of property zoned A2;
2. Simple Subdivision design standards to allow a lot without 160-feet of road frontage;
3. Simple Subdivision design standards to allow a lot without frontage on a public street built to County street standards.

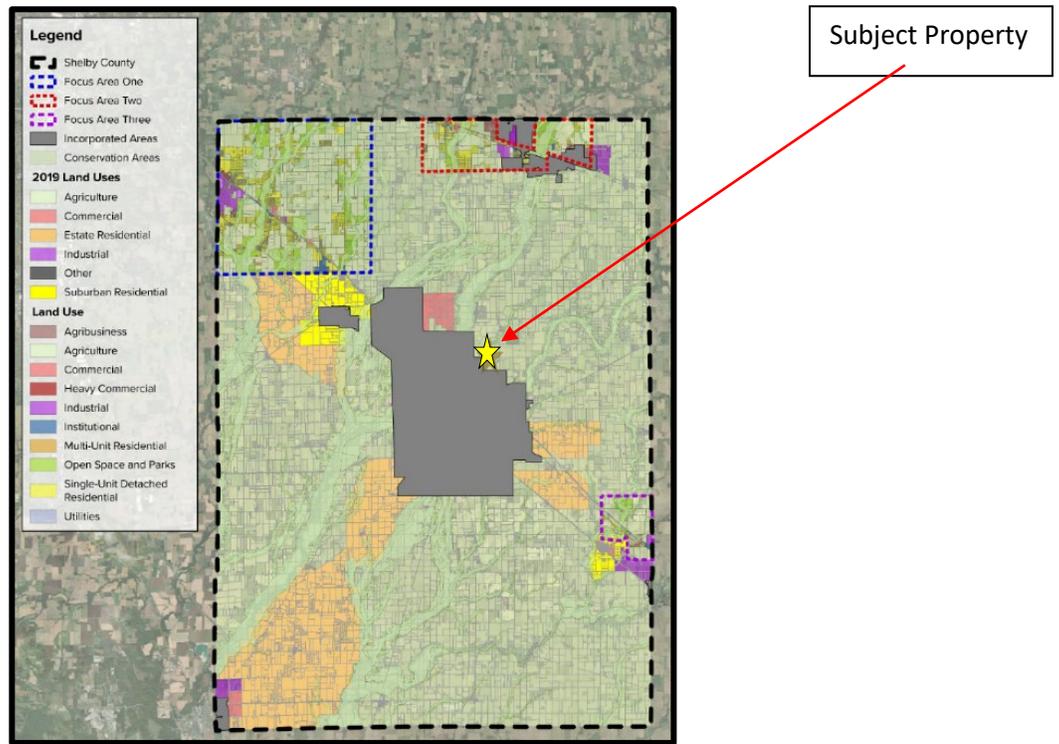
Purpose of Subdivision Code Requirements

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.

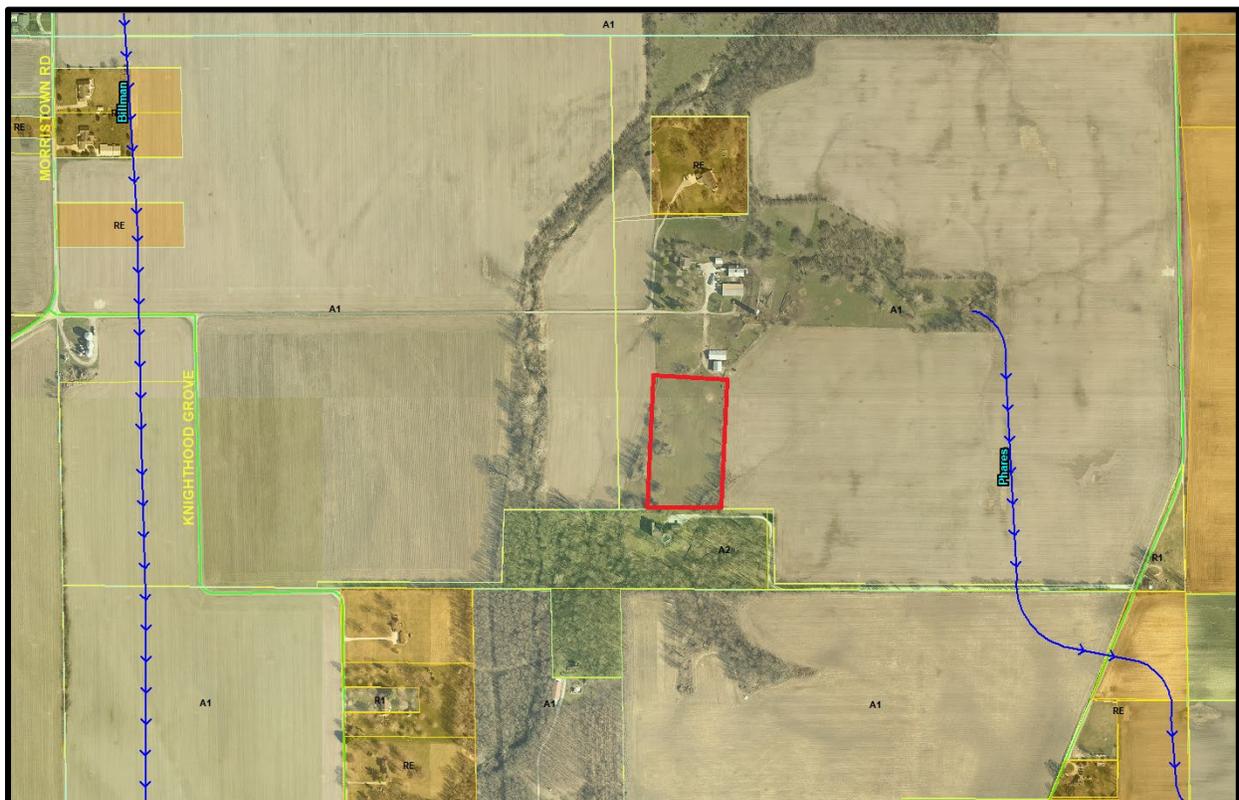
The UDO requires that lots have frontage on a public road to:

- 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

- Approval of the requests would allow for development of one, 5-acre single-family residential building lot. The daughter of the current property owner intends to build a home on the property.
- The surrounding area includes cropland and single-family residential properties varying in size.
- The petitioner has requested a waiver to allow for A2 zoning to retain the ability to keep farm animals on the property.
- The property does not have frontage on a public road. The plat shows access to the property through a ½-mile shared driveway on the remaining tract.
 - The driveway is paved, 13-feet wide, and includes a 13' x 14' culvert over a non-regulated open ditch.
 - The driveway currently provides access to the home on the remaining tract and a single-family residential lot split by survey from the remaining tract in the early 2000s.
 - The plat shows a 40-foot-wide ingress/egress/utility easement over the existing driveway. The easement extends south to the proposed lot over a proposed gravel driveway. An existing 30-foot easement extends north to the previously subdivided lot over a paved driveway.
 - The plat includes a note that an easement agreement between the property owner and the owner of the driveway shall be approved by the Planning Director (see minimum requirements for the easement agreement at bottom of Staff Report).
 - The plat includes required driveway standards to accommodate two vehicles passing on the driveway at the same time and to accommodate emergency vehicles, specifically:
 - A minimum driveway width of 20 feet, for the first 50 feet of the driveway measured from the centerline of the public road.
 - Three 9' x 20' passing blisters spaced approximately 500-feet apart.
 - A 911 Address Sign that is 6"x18" or larger, double-sided, and reflective identifying the address of the property installed near the public road.
 - Compliance with *Section 5.19 E: Long Driveways* of the UDO which requires:
 - A loop or turn-around at the end of the driveway to accommodate a 30-foot-long vehicle. This turn-around currently exists at the end of the driveway on the remaining tract.
 - 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 UDO limits use of shared access easements to two single-family residential lots. The petitioner intends to apply for a variance from the BZA to allow for use of the proposed access easement by four lots. These lots include the home on the remaining tract, the residential lot subdivided from the remaining tract in the early 2000s, the proposed lot, and one potential future building lot.
- 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 USDA Soil Survey classifies approximately 65% of the property as 'Prime Farmland if Drained' and approximately 35% of the property as 'Not Prime Farmland.'
- The Technical Advisory Committee (TAC) / Site Plan Review Committee would review a detailed site plan including structure layout, elevation of development, drainage infrastructure, and septic system design for compliance with County codes prior to issuance of permits for a new single-family residence.

Staff Analysis Findings of Fact

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

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

Residential development of the property would not conflict with adjacent residential development to the north and south.

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

The property does not have soils well suited for crop production and sits in a relatively isolated location, which renders the property desirable for residential development.

3. The Conservation of Property Values throughout the Jurisdiction

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

4. Responsible Development and Growth

The Technical Advisory Committee (TAC) / Site Plan Review Committee would review a detailed site plan including structure layout, elevation of development, drainage infrastructure, and septic system design for compliance with County codes prior to issuance of permits for a new single-family residence. Adequate provisions for property access, driveway maintenance, and emergency vehicle access will apply to development of the property without road frontage.

5. The Comprehensive Plan

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

Simple Subdivision: Staff has reviewed the proposed plat and has determined:

1. The subdivision of land is consistent with the Shelby County Comprehensive Plan.
2. The subdivision of land satisfies the development requirements of Article 06: Subdivision Types, pending approval of a waiver to allow Simple Subdivision of property zoned A2.
 - a. The adjoining residential property to the south also has A2 zoning.
3. The subdivision of land satisfies the standards of Article 07: Design Standards, pending waivers to allow a lot without 160-feet of road frontage and without frontage on a public street built to County street standards.
 - a. Adequate provisions for property access, driveway maintenance, and emergency vehicle access will apply to development of the property.
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.**

Approval of the rezoning would not remove prime farmland from production or result in the residential density of the area exceeding one lot for every five acres as recommended for agricultural areas by the Comprehensive Plan. Adequate provisions for property access, driveway maintenance, and emergency vehicle access will apply to development of the property without road frontage.

Applicant/Owner Information

Applicant:	Lauren Diemer 2702 North Knighthood Grove Dr. Shelbyville, IN 46176	Surveyor:	Powell Land Surveying LLC 4634 N 575 E Shelbyville, IN 46176
Owner:	Matney R C Family Limited Partnership 2702 North Knighthood Grove Dr. Shelbyville, IN 46176		

Minimum Requirements for Easement Agreement

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

APPLICATION FOR REZONING
FINDINGS OF FACT BY THE SHELBY COUNTY PLAN COMMISSION

Applicant: Lauren Diemer

Case #: _____

Location: The 5.000 Acre tract being rezoned to "A2" is located on the South part of a 145.21 acre tract zoned "A1" being South of 2702 North, Knighthood Grove Dr., Shelbyville IN.

The Shelby County Plan Commission, having heard the application for rezoning described above and all opposition from parties claiming to be adversely affected thereby, has considered the request based on the provisions of Indiana law and forwards the following findings and recommendation to the Shelby County Commissioners:

1. The request **is** consistent with the Shelby County Comprehensive Plan because: **It requires the land to be rezoned to a "A2" for residential and agricultural land use less than 20 acres.**

2. The request **is** consistent with the current conditions and the character of structures and uses in each zoning district because: **It is an allowed use per the Shelby County Comprehensive Plan.**

3. The request **is** consistent with the most desirable use for which the land in each district is adapted because: **It is an allowed use per the Shelby County Comprehensive Plan.**

4. The request **is** consistent with the conservation of property values throughout the jurisdiction because: **It will not lower, but will increase the value of the land that is being rezoned.**

5. The request **is** consistent with responsible growth and development because: **It will have no effect on the existing land use.**

Based on the findings described above, the Plan Commission hereby forwards a **favorable/unfavorable** (circle one) recommendation to the City Council this ____ day of _____, _____.

Shelby County Plan Commission

By: _____
President

Attest: _____
Secretary

