

Shelby County Plan Commission

April 28, 2020 at 7:00 PM

Table of Contents

Agenda	3
SD 20-01 Jordan Simple Subdivision	5
Staff Report.....	5
Primary Plat.....	9
SD 20-02 Bogue Simple Subdivision	10
Staff Report.....	10
Primary Plat.....	13
RZ 20-03 Star Lite Leasing / Weber Concrete / Blue Star Redi Mix Rezoning – A1 (Conservation Agricultural) to I2 (High Intensity Industrial)	14
Staff Report.....	14
I2 Permitted Uses.....	20
I2 Development Standards	21
Traffic Study	22
Statement of Intent	24
Petitioner's Findings of Fact	25
Site Plan	27

MEETING AGENDA

Shelby County Plan Commission
April 28, 2020 at 7:00 P.M.

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

Minutes from the January 28, 2020 meeting.

APPOINTMENT OF BZA HEARING OFFICER

BUSSINESS CONTINUED TO MAY 26, 2020

RZ 20-04 –SUTHERLAND REZONING: Rezoning of ~8 acres from the A1 (Conservation Agricultural) District to the RE (Residential Estate) District to allow for four single-family residential building lots. Located at approximately 4498 W 800 N, Fairland.

SD 20-04 – SUTHERLAND SIMPLE SUBDIVISION: Three-lot Simple Subdivision & Waivers of Subdivision Design Standards. Located at approximately 4498 W 800 N, Fairland.

SD 20-05 –LAMB REZONING: Rezoning of 1.584 acres from the RE (Residential Estate) District to the R1 (Single-Family Residential) District to allow for a two-lot Simple Subdivision. Located at 6801 W 500 N, Fairland.

NEW BUSSINESS

SD 20-01 – JORDAN SIMPLE SUBDIVISION: Two-lot Simple Subdivision & Waivers of Subdivision Design Standards. Located at 4450 W 300 N, Fairland.

D 20-02 – BOGUE SIMPLE SUBDIVISION: Two-lot Simple Subdivision & Waivers of Subdivision Design Standards. Located at 6707 N 775 E, Morristown.

RZ 20-03 – WEBER CONCRETE / STAR LITE LEASING REZONING: Rezoning of 8 acres from the A1 (Conservation Agricultural) District to the I2 (High Intensity Industrial) District to allow for a ready-mix concrete plant. Located on Frontage Road, east of 850 West and approximately $\frac{3}{4}$ mile from the Pleasant View exit, Moral Township.

OLD BUSINESS

DISCUSSION

None.

ADJOURNMENT

The next regular meeting of the Shelby County Board of Zoning Appeals is scheduled for Tuesday, **May 26, 2020 at 7:00 PM.**

Due to COVID-19 only 10 people will be allowed in the meeting room at any one time. Meeting attendees should maintain a 6-foot separation from any other person. If the meeting room has reached the 10-person capacity, members of the public should check in with the Plan Commission staff and wait outside of the building until your petition of interest is called up for public hearing.

Thank you.

Property Details

Location: 4450 W 300 N, Fairland

Property Size: 5.473 acres

Current Land Use: Residential Estate

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

The 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 become available.

Surrounding Development

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

Staff Report

Case Number: SD 20-01

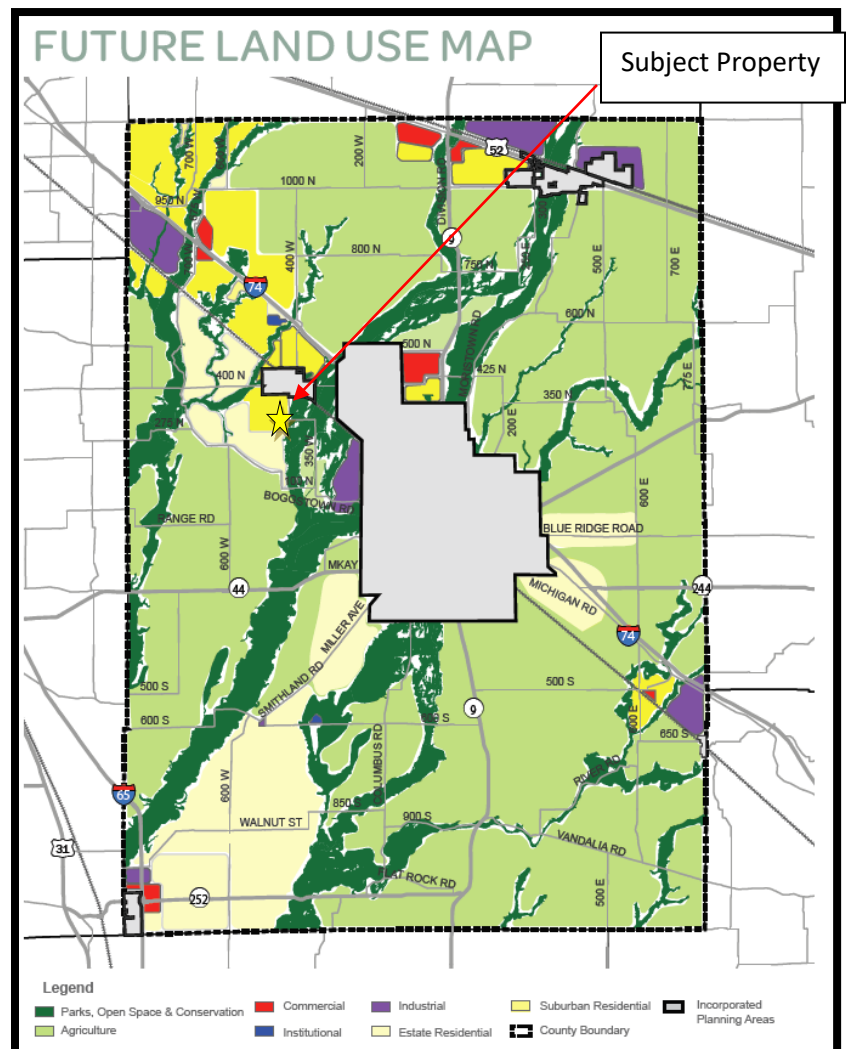
Case Name: Jordan Simple Subdivision

Requests

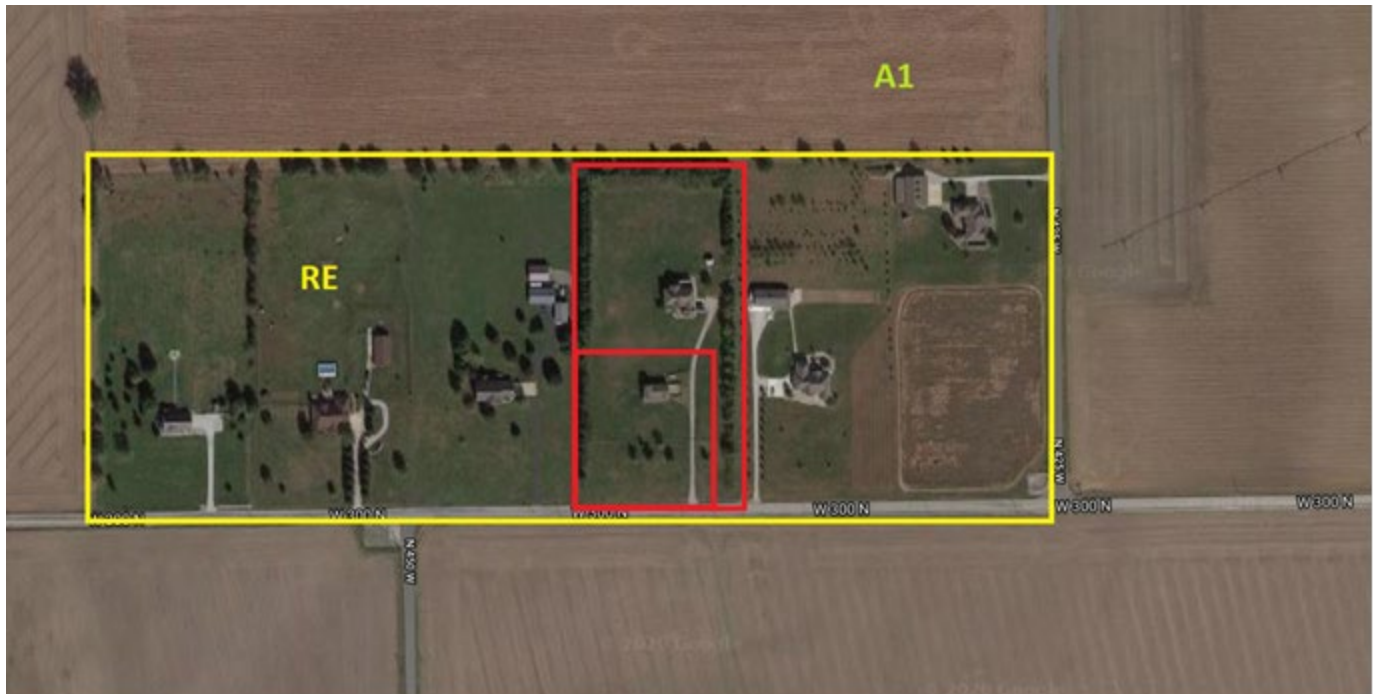
Simple Subdivision to allow for subdivision of 5.473 acres into a 2-acre tract and 3.473-acre tract.

Waivers of Subdivision Design Standards to allow for Simple subdivision of a tract less than 6-acres and a lot with 60-feet of road frontage (minimum 160-feet of road frontage required).

Future Land Use Map



Property Map



Case History

- In the 1990s a previous property owner subdivided the property along with five other tracts utilizing the 5-acre platting exemption rule. All six tracts now include single-family dwellings and accessory structures.
- 2008 – The Plan Commission office issued permits to the petitioner to remodel the structure closest to the road as a temporary dwelling unit during repair of the original home damaged by a fire. The Plan Commission office and petitioner had a verbal agreement that use of the structure as a dwelling would cease at the time of completion of the repairs on the original home.
- 2011 – The Plan Commission office received a complaint concerning the existence of two residences on the property at the time the petitioner listed the property for sale.
- 2016 – The petitioner filed an application to subdivide the property into two lots to legalize the second dwelling. A few neighbors filed objections to the petition citing violation of a restrictive covenant prohibiting subdivision of the lot and perceived decrease in property values. Plan Commission voted 5-0 to deny the subdivision. Members who voted at that meeting included: Doug Warnecke, Taylor Sumerford, Terry Smith, Steve Mathies, & Chris Ross.
- 2019 – The Plan Commission approved subdivision of property located at 3141 N 425 W (two properties to the west of the subject property) into two lots. The Plan Commission cited the following circumstances warranting approval of a waiver from the minimum 6-acre parent tract requirement:

- The lot and previously developed rural neighborhood would likely not return to farmland. Therefore, approval of the waiver would not interfere with the goals of conservation of farmland and natural resources identified in the Comprehensive Plan.
- The lot has frontage on two roads.
- Generally, the minimum 6-acre requirement should apply to vacant property including farmland and natural resources rather than developed property.
- The addition of one lot to a developed six-lot neighborhood would not significantly alter the character of the neighborhood.

Case Description

- The UDO allows for Simple Subdivisions in the RE District, therefore rezoning approval is not required prior to simple subdivision of the property.
- Tract 4A (3.473 acres) would include the original, larger existing single-family residence and exiting septic system. The petitioner plans to add a new well and driveway to Tract 4A. The new driveway would comply with driveway separation requirements and all other driveway standards identified in the UDO.
- Tract 4B (2 acres) would include the accessory structure remodeled into a dwelling unit, existing septic field, existing well, and existing driveway. The Health Department has required removal of the current septic system and installation of a new system on Tract 4B.
- The deed for the property includes restrictive covenants, one which states: The tract shall not be divided or subdivided after original conveyance and no more than one single family dwelling shall be erected thereon. Individual property owners within the development can enforce covenants using the civil court system, however the Plan Commission does not have the power to enforce covenants unless it approved a plat conditional on covenants. However, the Plan Commission can take covenants into consideration when making decisions on waivers from ordinance requirements.
- 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. However, the current Plan Commission has allowed subdivisions of tracts under 6-acres because development of these tracts would not eliminate a significant amount of farmland.
- The minimum road frontage requirement discourages the creation of 'flag lots.' Flag lots represent disorderly development which could lead to future property line disputes and cause difficulty for visitors or emergency vehicles in locating the house from the public road.

Staff Analysis

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 allow for subdivision of a tract less than 6-acres.

3. The subdivision of land satisfies the standards of Article 07: Design Standards, pending approval of a waiver allowing a lot with 60-feet of road frontage.
4. The subdivision of land satisfies any other applicable provisions of the Unified Development Ordinance, pending approval of a waiver to allow for 60-feet of road frontage.
5. The subdivision of land satisfies the construction requirements of the Shelby County's Construction Standards.
6. Allowing for a waiver of the 6-acre minimum tract requirement would allow for development of property not currently used for agricultural production and allowing a waiver of the road frontage requirement would allow for legal transition of the land use of the property from estate residential to low-density, single-family residential as recommended by the Comprehensive Plan. Therefore, the approval of the waivers would not contradict the purpose of the UDO or recommendations of the Comprehensive Plan.

Staff Recommendation

APPROVAL primarily because:

1. A waiver of the 6-acre minimum tract requirement would allow for development of property not currently used for agricultural production.
2. A waiver of the road frontage requirement would allow for legal transition of the land use of the property from estate residential to low-density, single-family residential as recommended by the Comprehensive Plan.
3. The subdivision complies with all other requirements of the UDO.

Applicant/Owner Information

Applicant

Robert & Karen Jordan
4450 W 300 N
Fairland, IN 46126

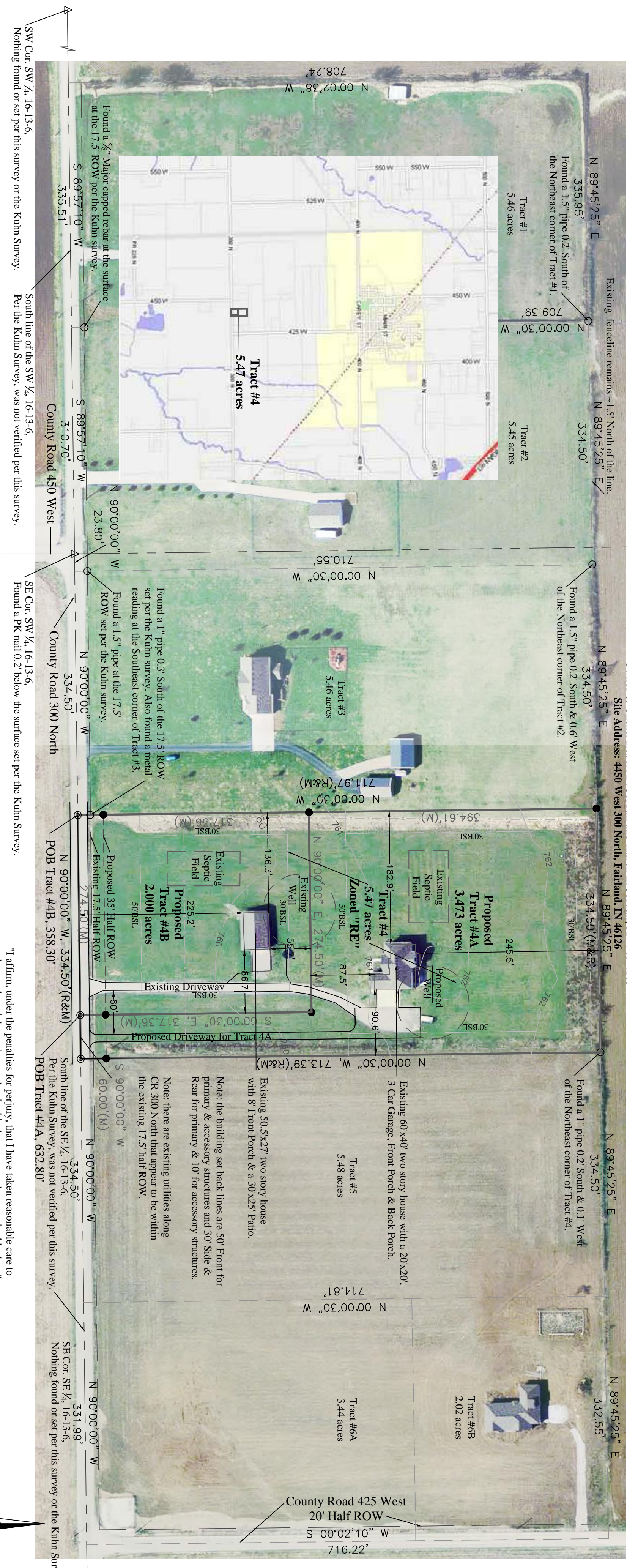
Surveyor:

Powell Land Surveying, LLC
4634 N 575 E
Shelbyville, IN 46176

Jordan Minor Subdivision

Part of the Southeast and Southwest Quarters of Section 16, Township 13 North, Range 6 East, Brandywine, Township, Shelby County, Indiana.

Owner & Client: Robert D. Jordan and Karen L. Jordan, 317-965-4103
Site Address: 4450 West 300 North, Fairland, IN 46126



Parent description for Tract #4, owned by Robert D. & Karen L. Jordan, per Instrument #0402941.

Beginning at a masonry nail on the South line of the Southeast quarter of Section 16, Township 13 North, Range 6 East, in Brandywine Township, Shelby County, Indiana, said point being 358.30 feet North 90 degrees 00 minutes 00 seconds East (assumed bearing) of the Southwest corner of said quarter section; and running thence North 00 degrees 00 minutes 00 seconds West a distance of 317.36 feet to a Powell capped rebar; thence South 90 degrees 00 minutes 00 seconds West a distance of 274.50 feet to a Powell capped rebar set on the West line of Tract #4 per a survey by Stephan H. Kuhn, recorded in Survey Book 3, Page 361; thence North 00 degrees 00 minutes 30 seconds West, along said line a distance of 394.61 feet to a Powell capped rebar set at the Northeast corner of said Tract #4; thence North 89 degrees 45 minutes 25 seconds East, along the North line of said Tract #4 a distance of 334.50 feet to an iron pipe at the Northeast corner of said Tract #4; thence South 00 degrees 00 minutes 30 seconds East, along the East line of said Tract #4 a distance of 713.39 feet to a mag nail with a Powell washer set on the South line of said quarter section at the Southeast corner of said Tract #4; thence South 90 degrees 00 minutes 00 seconds West, along said line a distance of 60.00 feet to the point of beginning, containing 3.473 acres more or less, and subject to the right-of-way of the public road along the entire South side thereof.

Description for the proposed Tract #4A per this subdivision.

Beginning at a mag nail with a Powell washer set on the South line of the Southeast quarter of Section 16, Township 13 North, Range 6 East, in Brandywine Township, Shelby County, Indiana, said point being 632.80 feet North 90 degrees 00 minutes 00 seconds East (assumed bearing) of the Southwest corner of said quarter section; and running thence North 00 degrees 00 minutes 30 seconds West a distance of 317.36 feet to a Powell capped rebar; thence South 90 degrees 00 minutes 00 seconds West a distance of 274.50 feet to a Powell capped rebar set on the West line of Tract #4 per a survey by Stephan H. Kuhn, recorded in Survey Book 3, Page 361; thence North 00 degrees 00 minutes 30 seconds West, along said line a distance of 394.61 feet to a Powell capped rebar set at the Northeast corner of said Tract #4; thence North 89 degrees 45 minutes 25 seconds East, along the North line of said Tract #4 a distance of 334.50 feet to an iron pipe at the Northeast corner of said Tract #4; thence South 00 degrees 00 minutes 30 seconds East, along the East line of said Tract #4 a distance of 713.39 feet to a mag nail with a Powell washer set on the South line of said quarter section at the Southeast corner of said Tract #4; thence South 90 degrees 00 minutes 00 seconds West, along said line a distance of 60.00 feet to the point of beginning, containing 3.473 acres more or less, and subject to the right-of-way of the public road along the entire South side thereof.

Description for the proposed Tract #4B per this subdivision.

Beginning at a mag nail with a Powell washer set at the Southwest corner of Tract #4 per a survey by Stephan H. Kuhn, recorded in Survey Book 3, Page 361, being on the South line of the Southeast quarter of Section 16, Township 13 North, Range 6 East, in Brandywine Township, Shelby County, Indiana, said point being 358.30 feet North 90 degrees 00 minutes 00 seconds East (assumed bearing) of the Southwest corner of said quarter section; and running thence North 00 degrees 00 minutes 30 seconds West, along the West line of said Tract #4 a distance of 317.36 feet to a Powell capped rebar; thence North 90 degrees 00 minutes 00 seconds East a distance of 274.50 feet to a Powell capped rebar; thence South 00 degrees 00 minutes 30 seconds East a distance of 317.36 feet to a mag nail with a Powell washer set on the South line of said quarter section; thence South 90 degrees 00 minutes 00 seconds West, along said line a distance of 274.50 feet to the point of beginning, containing 2.000 acres more or less, and subject to the right-of-way of the public road along the entire South side thereof.

Owner & Client: Robert D. Jordan and Karen L. Jordan, 317-965-4103
Site Address: 4450 West 300 North, Fairland, IN 46126

Found a 1" pipe 0.3' South of the 17.5' ROW set per the Kuhn survey. Also found a metal reading at the Southeast corner of Tract #3.
Found a 1.5" pipe at the 17.5' ROW set per the Kuhn survey.
Found a PK nail 0.2' below the surface set per the Kuhn Survey.
Found a 1" pipe 0.3' South of the 17.5' ROW set per the Kuhn survey. Also found a metal reading at the Southeast corner of Tract #3.
Found a 1.5" pipe at the 17.5' ROW set per the Kuhn survey.
Found a PK nail 0.2' below the surface set per the Kuhn Survey.

Proposed Tract #4A
3.473 acres
Proposed Tract #4B
2.000 acres

Proposed Tract #4A
3.473 acres
Proposed Tract #4B
2.000 acres

Proposed Tract #4A
3.473 acres
Proposed Tract #4B
2.000 acres

Proposed Tract #4A
3.473 acres
Proposed Tract #4B
2.000 acres

Proposed Tract #4A
3.473 acres
Proposed Tract #4B
2.000 acres

Proposed Tract #4A
3.473 acres
Proposed Tract #4B
2.000 acres

Proposed Tract #4A
3.473 acres
Proposed Tract #4B
2.000 acres

Proposed Tract #4A
3.473 acres
Proposed Tract #4B
2.000 acres

Proposed Tract #4A
3.473 acres
Proposed Tract #4B
2.000 acres

Proposed Tract #4A
3.473 acres
Proposed Tract #4B
2.000 acres

Surveyor's Report:

This report is in accordance with Title 865, Article 11.1, 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 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 retrace and subdivide a 5.47 acres tract which has two houses located on it, into a 2.00 acre and a 3.473 acre tract each with one house. The parent 5.47 acre tract being Tract #4 created per a survey by Stephan H. Kuhn recorded in Survey Book 3, Page 361-362, being a part of the Southeast and Southwest quarters of Section 16, Township 13 North, Range 6 East, Shelby County, Indiana. Owned by Robert D. & Karen L. Jordan, per Instrument #0402941. The field work was performed on 10-25-2012.

Availability and condition of the reference monuments:

1. Southeast corner of the Southwest quarter of section 16-13-6. Found a PK nail 0.2' below the surface set per the Kuhn survey, per the county ties.
2. No monuments were found at the Southwest quarter of the Southeast corner of the Southwest quarter of section 16-13-6. The Kuhn survey states that he used the existing center of the right of ways at the approximate quarter section corners to establish the South lines of the said quarters, and it is unclear as to what he used to create the East line of the said Southwest quarter section. The said section lines were not verified per this survey and there is an unknown amount of uncertainty with said corners.
3. The geometry of the Kuhn survey was held and rotated about the PK nail found at the Southeast corner of the Southwest quarter section 16-13-6 to best fit the found monuments as shown on the herein plat with their relationship to the calculated location.

All monuments were found or set as indicated on the survey plat or within this report.

Occupation or possession lines:

There is a chain link fence that is 5' to 8' inside the boundary lines along the East line, 12' along the North line & 15' to 5' along the West line of the parent tract.

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

There were no ambiguities found, the parent 5.47 acre tract is Tract #4 created per a survey by Stephan H. Kuhn recorded in Survey Book 3, Page 361-362.

Relative position accuracy of Measurements:

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 plus the above stated uncertainties.

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

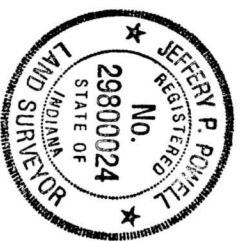
Jeffery P. Powell

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 8 day of February, 2020.

Jeffery P. Powell

Registered Land Surveyor
No. 29800024



Owners Certification:
We Robert D. Jordan & Karen L. Jordan, do hereby certify that we are the owners of the property described in the above captioned and that as such owners we 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 _____, 2020.

Robert D. Jordan Karen L. Jordan

Notary Certification:

I, _____, a Notary Public in and for said County and State, do hereby certify that Robert D. Jordan & Karen L. Jordan, 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 _____, 2020.

Notary Public

Plan Commission Approval:
Approved by the Shelby County Plan Commission in accordance with Subdivision Regulations.

By: _____ Date

By: Scott Gabbard, Secretary Plan Commission Date

Note: There are trees around the perimeter of the lots which appear to exceed the required amount per the landscaping requirements.

Note: The Subdivision will require a waiver of the parent Tract being less than the required 6.00 acres and Lot 4A will require a waiver from the required 160' of road frontage.

Powell Land Surveying LLC

Jeffery P. Powell, PLS
4634 North, 575 East, Shelbyville, IN 46176
Office 765-763-6147, Fax 765-763-0122, Cell 317-694-6073
Email: powellandsurveying@nsl.com
This Document was prepared by Jeffrey Powell.

Property Details

Location: 6707 N 775 E, Morristown

Property Size: 5.039 acres

Current Land Use: Residential Estate

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

Agricultural

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

Surrounding Development

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

Staff Report

Case Number: SD 20-02

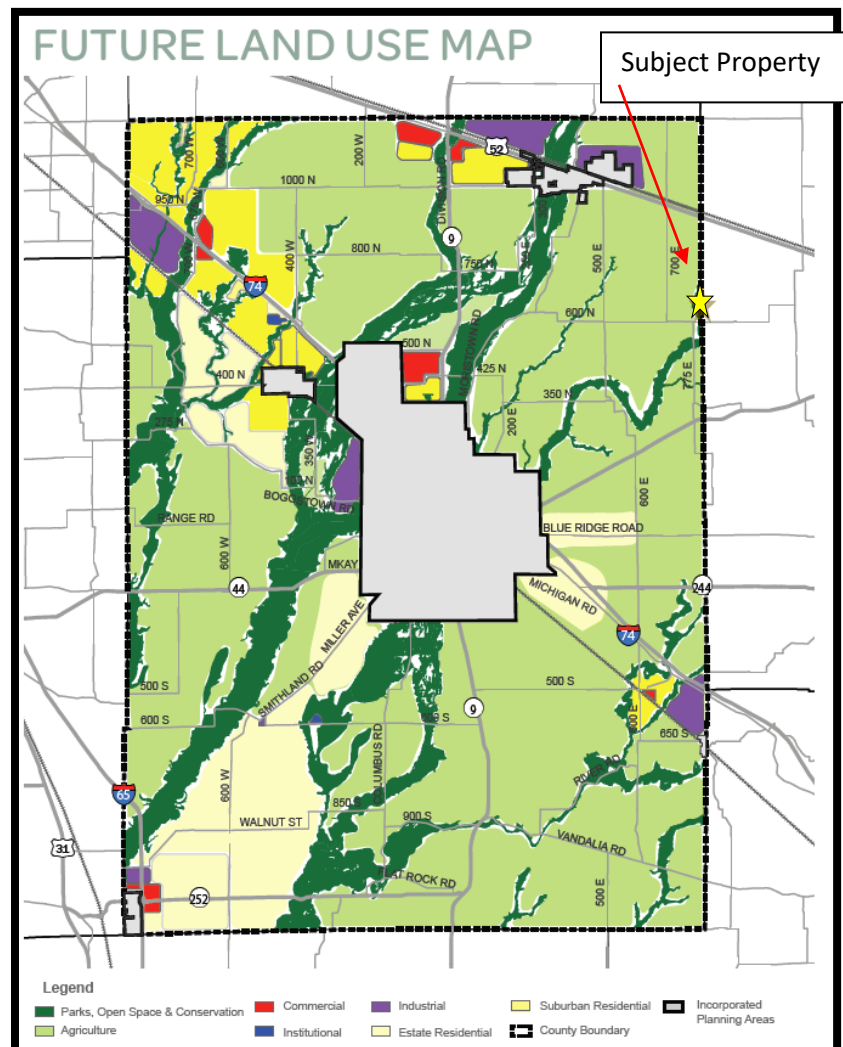
Case Name: Bogue Simple Subdivision

Requests

Simple Subdivision to allow for subdivision of 5.039 acres into a 2.001-acre tract and 3.038-acre tract.

Waivers of Subdivision Design Standards to allow for Simple subdivision of a tract less than 6-acres and side lot line greater than degrees (15°) of a right angle to the street and right-of-way (not permitted).

Future Land Use Map



Property Map



Case Description

- The UDO allows for Simple Subdivisions in the RE District, therefore rezoning approval is not required prior to simple subdivision of the property.
- Tract 1 (2.001 acres) would include the petitioner's existing single-family residence, residential accessory structures, septic system, and well.
- The petitioner plans to sell Tract 1 and retain Tract 2 for future residential development.
- Tract 2 includes an existing pond and designated wetland. The UDO requires a 15-foot building setback from designated wetlands.
- 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. However, the current Plan Commission has allowed subdivisions of tracts under 6-acres because development of these tracts would not eliminate a significant amount of farmland.
- The UDO regulates the angle of lots lines to encourage orderly development. The plat includes an interior lot line at an angle to allow both lots to have the minimum 160-feet of road frontage.

Staff Analysis

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 allow for subdivision of a tract less than 6-acres.
3. The subdivision of land satisfies the standards of Article 07: Design Standards, pending approval of a waiver allowing lot lines greater than degrees (15°) of a right angle to the street and right-of-way.
4. The subdivision of land satisfies any other applicable provisions of the Unified Development Ordinance, pending approval of a waiver to allow for 60-feet of road frontage.
5. The subdivision of land satisfies the construction requirements of the Shelby County's Construction Standards.
6. Allowing for a waiver of the 6-acre minimum tract requirement would allow for development of property not currently used for agricultural production and allowing a waiver of the lot angle requirement would allow both lots to comply with the minimum 160-foot road frontage requirement for properties in the RE District. Therefore, the approval of the waivers would not contradict the purpose of the UDO or recommendations of the Comprehensive Plan.

Staff Recommendation

APPROVAL primarily because:

1. A waiver of the 6-acre minimum tract requirement would allow for development of property not currently used for agricultural production.
2. A waiver of the lot angle requirement would allow both lots to comply with the minimum 160-foot road frontage requirement for properties in the RE District.
3. The subdivision complies with all other requirements of the UDO.

Applicant/Owner Information

Applicant

Scott Bogue
6707 N 775 E
Morristown, IN 46161

Surveyor:

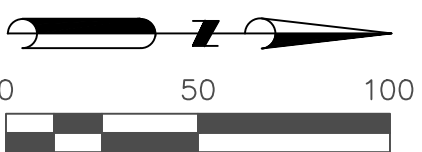
Powell Land Surveying, LLC
4634 N 575 E
Shelbyville, IN 46176

County Road 700 North

Scale 1" = 50'

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

Found a railroad spike 0.2' below the surface per the Shelby County ties. Found a mag nail at the surface per the Sumnerford survey to be 0.25'N of the cal. cor..



- Legend
- Section Corner Δ
 - Found Monuments \oplus
 - Powell Capped Rebar \bullet
 - Mag Nail with Powell Washer \odot

Michael J. & Kari E. Smith
57.13 Acres

POB of the 5.039 Acre Parent Tract & the 2,001 Acre Tract #1. Found a mag nail 0.2' below the surface at the cal. cor.

County Road 775 East

2677.68' N 89°47'48" W 675.61'
S 89°47'48" E 1570.57'(M)
S 00°38'15" E 1570.57'(M)
500°38'28"E, 1570.39'(R)
2002.07'(M)
N 89°47'48" W 2002.07'(M)
N 89°47'48" W 2002.11'(R)
2. NE cor., NE/4, 33-14-8
Found a mag nail at the surface over a Harrison monument per the Shelby County ties.

Parent description of the 5.039 acre tract of land owned by Scott Bogue, recorded in Instrument 2015003879.

A part of the Northeast Quarter of Section 33, Township 14 North, Range 8 East, Shelby County, Indiana, described as follows:

Commencing at the Harrison Monument that marks the Northeast corner of the above described Northeast quarter of Section 33; thence with the North line of the quarter North 89 degrees 47 minutes 54 seconds West 2002.11 feet to a mag nail; thence with the center of County Road 775 East South 00 degrees 38 minutes 28 seconds East 1570.39 feet to a mag nail and the true point of beginning of the tract herein described; Thence with the mean center of said road South 03 degrees 39 minutes 54 seconds East 230.43 feet to a point 0.47 feet South of an existing PK nail; thence with the mean center of said road South 01 degree 02 minutes 14 seconds East 287.72 feet to a mag nail; thence North 89 degrees 47 minutes 54 seconds West 421.39 feet to a 5/8 inch rebar; thence North 02 degrees 09 minutes 38 seconds West 518.00 feet to a 5/8 inch rebar; thence South 89 degrees 47 minutes 54 seconds East 421.00 feet to the point of beginning, containing 5.039 acres more or less and subject to the right of way of County Road 775 East on the East line of the tract and also subject to any other existing right of way, easements or restrictions.

New description of Tract 1, being a 2,001 acre tract containing the existing house & garage per this survey and being split from the lands owned by Scott Bogue, recorded in Instrument 2015003879.

A part of the Northeast Quarter of Section 33, Township 14 North, Range 8 East, in Union Township, Shelby County, Indiana, being created from a survey (Job # 13-2020) by Jeffrey Powell and more particularly described as follows:

Commencing at Northeast corner of the said Northeast quarter section, said point being a Harrison monument per the Shelby County Ties, thence North 89 degrees 48 seconds East (Bearings based on NAD 83, Indiana East, State plane Coordinates) along the North line of the said quarter section a distance of 2002.07 feet to a point being 0.25 feet South of a mag nail found marking the intersection with the centerline of County Road 775 East; thence South 00 degrees 38 minutes 15 seconds East along the said centerline a distance of 1570.57 feet to a mag nail found marking the Northeast corner of a 5.039 acre tract recorded in Instrument 2015003879 and said point being the point of beginning of the tract herein described; the next two call being along the East line of the said tract, thence South 03 degrees 39 minutes 48 seconds East along the mean center of the said road a distance of 230.43 feet to a point 0.47 feet South of an existing PK nail; thence South 01 degrees 02 minutes 08 seconds East along the mean center of the said road a distance of 127.72 feet to a mag nail; thence North 89 degrees 43 minutes 27 seconds West a distance of 150.00 feet to a Powell capped rebar; thence North 29 degrees 18 minutes 29 seconds West a distance of 410.69 feet to a Powell capped rebar set on the North line of the said tract; thence South 89 degrees 47 minutes 48 seconds East along the North line of the said tract a distance of 334.00 feet to the point of beginning, containing 2,001 acres more or less and being subject to any and all easements, right of ways and restrictions.

New description of Tract 2, being a 3,038 acre tract and being a new building lot per this survey and being the remainder of the lands owned by Scott Bogue, recorded in Instrument 2015003879.

A part of the Northeast Quarter of Section 33, Township 14 North, Range 8 East, in Union Township, Shelby County, Indiana, being created from a survey (Job # 13-2020) by Jeffrey Powell and more particularly described as follows:

Commencing at Northeast corner of the said Northeast quarter section, said point being a Harrison monument per the Shelby County Ties, thence North 89 degrees 47 minutes 48 seconds East (Bearings based on NAD 83, Indiana East, State plane Coordinates) along the North line of the said quarter section a distance of 2002.07 feet to a point being 0.25 feet South of a mag nail found marking the intersection with the centerline of County Road 775 East; thence South 00 degrees 38 minutes 15 seconds East along the said centerline a distance of 1570.57 feet to a mag nail found marking the Northeast corner of a 5.039 acre tract recorded in Instrument 2015003879; the next two call being along the East line of the said tract, thence South 03 degrees 39 minutes 48 seconds East along the mean center of the said road a distance of 230.43 feet to a point 0.47 feet South of an existing PK nail; thence South 01 degrees 02 minutes 08 seconds East along the mean center of the said road a distance of 127.72 feet to a mag nail and said point being the point of beginning of the tract herein described; thence containing South 01 degrees 02 minutes 08 seconds East along the said line a distance of 160.00 feet to a mag nail marking the Southeast corner of the said tract; thence North 89 degrees 47 minutes 48 seconds West along the South line of the said tract a distance of 421.39 feet to a 5/8" rebar found marking the Southwest corner of the said tract; thence North 02 degrees 09 minutes 32 seconds West along the West line of the said tract a distance of 518.00 feet to a Powell capped rebar marking the Northwest corner of the said tract; thence South 89 degrees 47 minutes 48 seconds East along the North line of the said tract a distance of 86.98 feet to a Powell capped rebar; thence South 29 degrees 18 minutes 29 seconds East a distance of 410.69 feet to a Powell capped rebar; thence South 89 degrees 43 minutes 27 seconds East a distance of 150.00 feet to the point of beginning, containing 3,038 acres more or less and being subject to any and all easements, right of ways and restrictions.

Note: The proposed Subdivision is located in a special flood hazard ZONE X, per the FEMA Flood Insurance rate map number 18145C0135C, the accuracy of this Flood hazard statement is subject to map scale uncertainty in location or elevation on the referenced flood insurance rate map.

Note: There are many trees on both of the proposed tracts which appear to exceed the required amount per the landscaping requirements.

Note: The Subdivision will require a waiver of the parent Tract being less than the required 6.00 acres.

- Found a PK nail 0.2' below the surface 0.35'N of the cal. cor.
3. SW cor., NE/4, 33-14-8
Found a County monument 0.3' above the surface next to a corner post per the Shelby County ties.
- S 89°57'12" W 713.16'
- S 89°57'12" W 2670.18'

Bogue Minor Subdivision

Part of the Northeast Quarter of Section 33, Township 14 North, Range 8 East, Union, Township, Shelby County, Indiana.

Owner & Client: Scott Bogue
Site Address: 6707 North, 775 East, Morristown, IN 46161

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 adjointer'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 retrace and divided a 5.039 acre tract of lands owned by Scott Bogue described in Instrument 2015003879 created per a previous survey by Taylor Sumnerford and to split the said tract into a 2,001 acre Tract #1 including the existing house and garage and the remainder into a 3,038 Acre Tract #2 being a new building lot per the owners instructions. The field work was performed on February 7, 2020 and other dates.

Availability and condition of the reference monuments:

The section corners found and held per this survey are per the Shelby County Ties and the other found monuments were held to establish the center of County Road 775 East per the previous Sumnerford survey and are noted and shown on the survey plat. 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:

The occupation lines found per this survey are as noted on the survey plat.

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

The parent tract and the Tract to the North, West & South were created per a previous survey by Taylor Sumnerford which appears to agree with the center of the County Road 775 East as established per a previous survey by Stephen Kuhn as held per a previous survey by me for Kevin Conley, dated 6-27-2018. The ambiguities found per this survey are noted on the survey plat.

Relative position accuracy of Measurements:

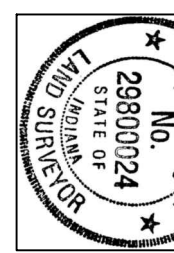
This survey falls within the classification of a Rural survey and therefore has a Relative position accuracy of 0.13 fee plus 100 parts per million plus the above stated uncertainties.

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 plat. This plat correctly represents said survey and subdivision in every detail. Monuments shown are in place as located.

Witness my hand this 8 day of February, 2020.

Jeffery P. Powell
Registered Land and Surveyor
No. 29800024



Owners Certification:

I Scott Bogue, do hereby certify that we are the owners of the property described in the above captioned and that as such owners we 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 ___, 2020.

Scott Bogue

Notary Certification:

I, _____, a Notary Public in and for said County and State, do hereby certify that Scott Bogue, 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 ___, 2020.

Notary Public

Plan Commission Approval:

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

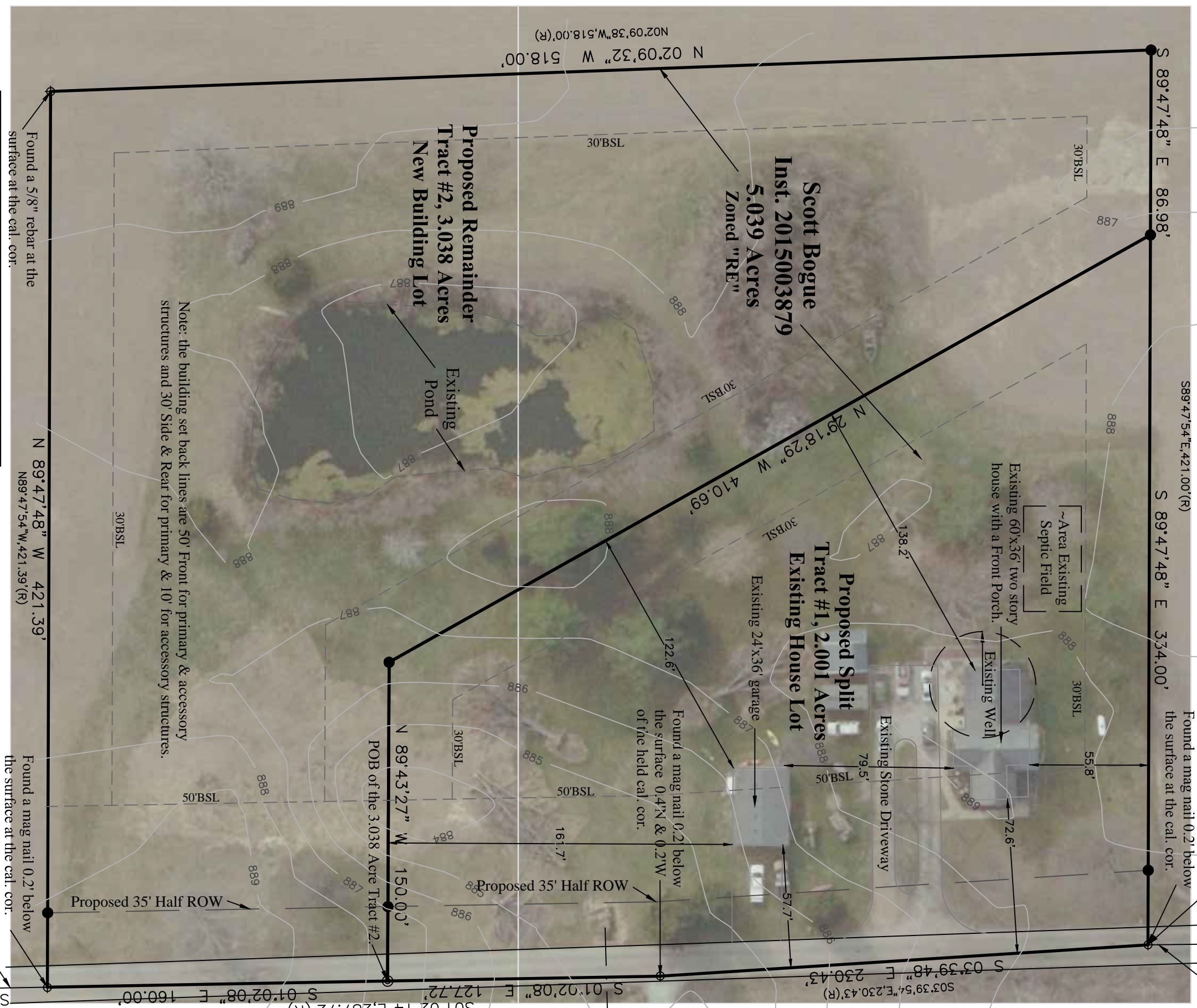
By: _____ Date _____
Doug Wernicke, President Plan Commission

By: _____ Date _____
Scott Cabbard, Secretary Plan Commission

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

Jeffery P. Powell, PLS
Powell Land Surveying LLC

4634 North, 575 East, Shelbyville, IN 46176
Office 765-763-6147, Fax 765-763-0122, Cell 317-694-6073
Email: powelllandsurveying@msn.com
This Document was prepared by Jeffrey Powell.



Proposed Remainder Tract #2, 3,038 Acres New Building Lot

Scott Bogue Inst. 2015003879 5.039 Acres Zoned "RE"

Proposed Split Tract #1, 2,001 Acres Existing House Lot

Note: the building set back lines are 50' Front for primary & accessory structures and 30' Side & Rear for primary & 10' for accessory structures.

Found a mag nail 0.2' below the surface 0.41'N & 0.2'W of the held cal. cor.

Note: there are existing utilities along CR 775 East that appear to be within the existing 16.5' Half ROW.

Found a PK nail 0.2' below the surface 0.35'N of the cal. cor.

3. SW cor., NE/4, 33-14-8
Found a County monument 0.3' above the surface next to a corner post per the Shelby County ties.

Staff Report

Property Details

Location: Frontage Road, east of 850 West and approximately ¾ mile from the Pleasant View exit, Moral Township.

Property Size: 8 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 agriculture.

Proposed Zoning Classification
 I2 (High Intensity Industrial)
This district is established for high intensity industrial uses and heavy manufacturing facilities.
**see attached district intent, permitted uses, special exception uses, and development standards.*

Future Land Use per Comp Plan
 Industrial
The purpose of this category is to provide for a full range of light and heavy industrial uses. Types of uses include manufacturing, processing, distribution and storage. The designation should accommodate a variety of industrial establishments which:

- Employ high environmental quality standards
- May function as an integral part of an overall development area
- Require large tracts of land because of their nature and function
- Have minimal impacts on adjacent uses

Surrounding Development

	Zoning	Land Use
North	A1	Cropland
South	A1	Cropland
East	A1	I-74
West	A1	Cropland

Case Number: RZ 20-03

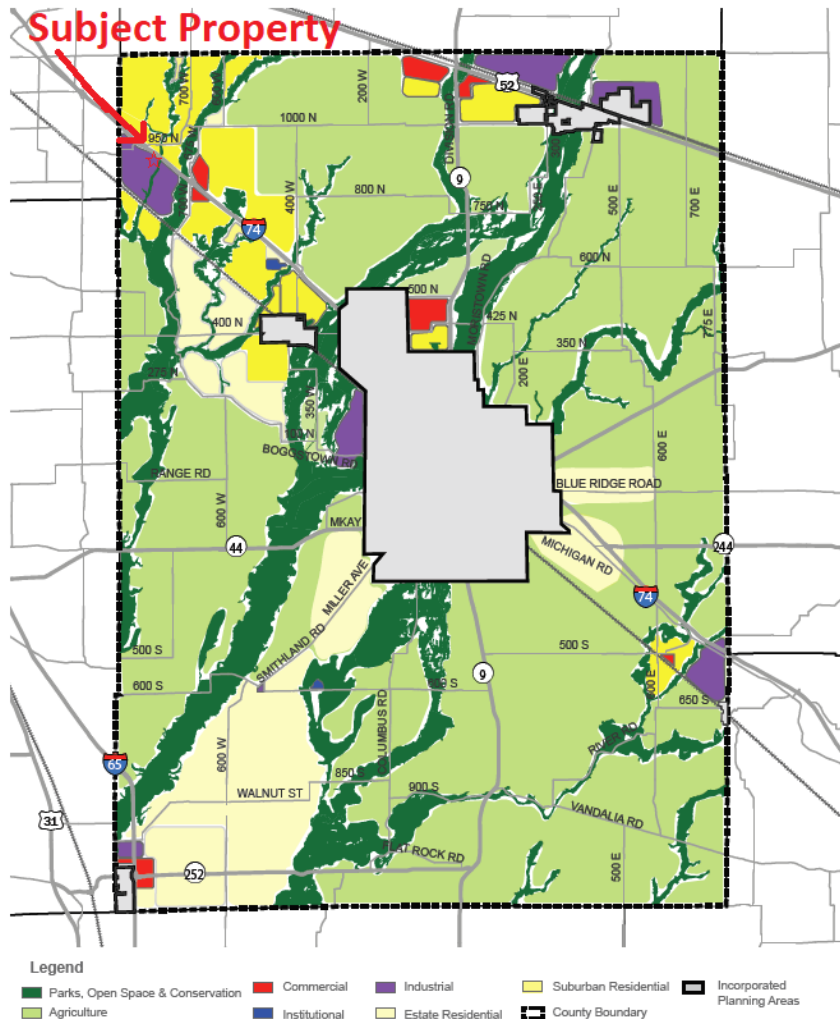
Case Name: Star Lite Leasing
 Weber Concrete / Blue Star Redi Mix
 Rezoning – A1 (Conservation Agricultural) to I2 (High Intensity Industrial)

Request

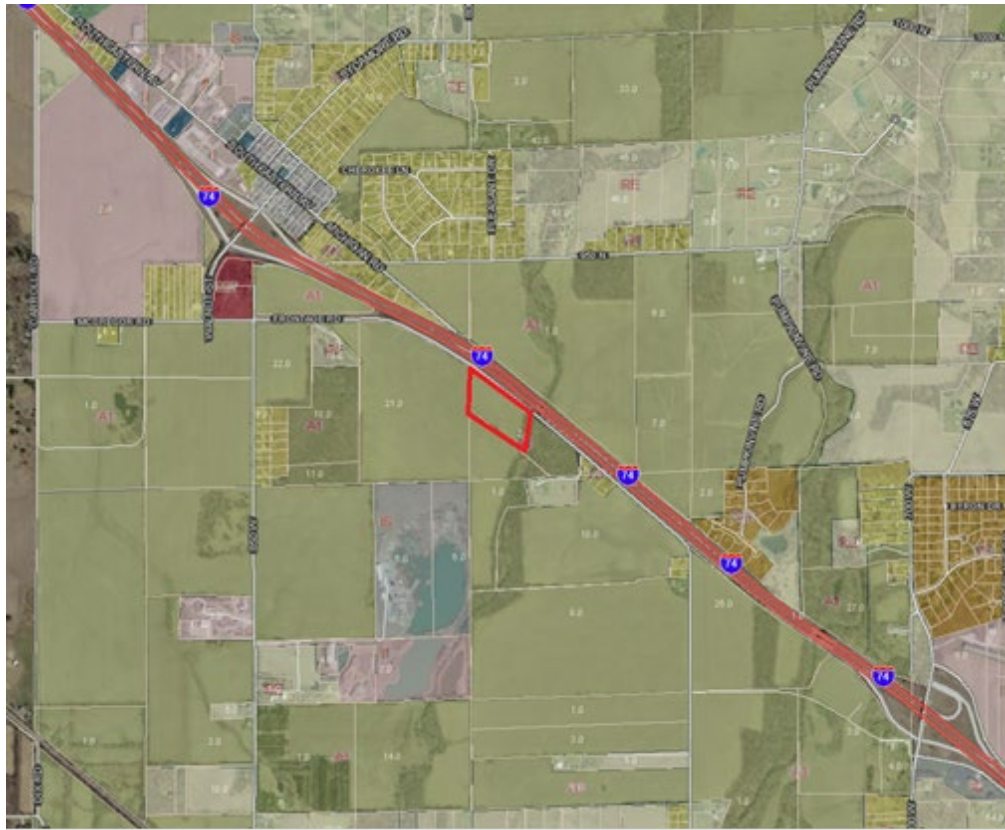
Rezoning of 8 acres from the A1 (Conservation Agricultural) District to the I2 (High Intensity Industrial) District to allow for a ready-mix concrete plant.

Future Land Use Map

FUTURE LAND USE MAP



Area Map



Property Map



Case Description

- Weber Concrete plans to operate a permanent ready-mix concrete plant under the name Blue Star Redi Mix. Star Light Leasing owns the assets of Weber Concrete, including the structures and land.
- The UDO permits concrete plants as a heavy manufacturing use in the I-2 District.
- Plant Operation Details
 - The proposed operation would utilize aggregate and other materials shipped to the property by dump-truck. Mining activities would not occur on-site or in the immediate area.
 - Concrete trucks would transfer finished concrete from inside the building to construction sites. The building would include loading bays on the side of the building opposite the public street.
 - The petitioner stated that the operation would serve residential homebuilders, primarily in Shelby, Hancock, and Marion Counties. The petitioner indicated that they chose the proposed site due to its central location and proximity to I-74.
 - A traffic analysis provided by A & F Engineering determined that the amount of traffic generated by the development would not necessitate any improvements to Frontage Road. The study provided recommendations for design of the property entrance. (See Traffic Study on following pages).
- Development Details
 - The property would include a building housing the office, maintenance operations, and majority of the batch-plant operations. The building would have an area of 6,816 sq. ft. and a maximum height of 75 ft. (equivalent to approximately a 7-story building).
 - The property would include an outdoor 11,500 sq. ft. aggregate storage area, aggregate loading area, and conveyor to transfer aggregate into the building. The site would also include a security fence, fueling station, concrete washout, and paved parking and maneuvering area
 - Proposed landscaping and mounding along the front property line should provide screening between ground-level operations and I-74. However, most of the building and aggregate conveyor would be visible from I-74.
 - A proposed dry detention pond would accommodate runoff. A member of the drainage board will review a detailed site plan prior to the issuance of building permits.
 - The development would utilize public water and a commercial septic system. The Indiana State Department of Health reviews and approves commercial septic permits.

- The southeast side of the property lies within a flood hazard area. No portion of the development will encroach upon the floodplain.
- The property currently exists as part of a 15.18-acre tract. Prior to development of the property, the petitioner will need to obtain approval of a Simple Subdivision from the Plan Commission. The petitioner plans to seek this approval at a future meeting.
- Potential Adverse Impacts and Mitigations

- Aesthetics

Landscaping and mounding along the front property line should provide screening between ground-level operations and I-74.

Fencing materials should consist of decorative elements, wrought iron, or coat chain linking. Barbed wire and plastics slats should be prohibited.

The exterior finish and facade of the building should consist of durable materials and coloring that compliments the existing landscape.

Note that recommended stipulations 1-5 address aesthetics (see Staff Recommendation)

- Particulate Matter

The operation should provide for continuous monitoring and collection of dust and other particulate matter.

The operation should obtain all applicable State environmental approvals.

- Traffic

Few vehicles utilize Frontage Road other than the traffic generated by the fourteen residences along the road. Only one residence sits north of the site, therefore traffic generated by the development should not utilize any portion of Frontage Road south of the property. The development should incorporate signs to direct traffic.

A signed and notarized statement of approval of the project from the current owner of property located at 9237 N Frontage Rd, Fairland (the residence north of the site) should limit future complaints regarding traffic.

The development should incorporate the recommendations of the traffic study regarding the design of the entrance.

Note that recommended stipulations 6-8 address traffic (see Staff Recommendation)

Staff Analysis Findings of Fact

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

Staff Analysis: Development of the property would require approval of State and Local permits and drainage facilities. Therefore, development of the property would not impact continued use of adjoining property for agricultural production. Adjoining properties currently do not include any structures.

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

Staff Analysis: Use of the property for an industrial use that involves frequent delivery and shipment of materials is desirable due to the proximity of the property to the I-74 / Pleasant View Interchange.

3. State Requirement: The Conservation of Property Values throughout the Jurisdiction

Staff Analysis: Development of the property would require approval of State and Local permits and drainage facilities. Therefore, development of the property would not impact the value or continued use of adjoining property for agricultural production.

4. State Requirement: Responsible Development and Growth

Staff Analysis: The Blue Star Redi Mix plant will be the first industrial development on the south side of the I-74 / Pleasant View Interchange. The quality of development will set a precedent for future commercial and industrial development at the interchange. The proposed development plan and incorporation of stipulations of approval to mitigate potential adverse impacts represents responsible development and growth.

5. State Requirement: The Comprehensive Plan

Staff Analysis: The Comprehensive Plan recommends industrial development of the property and surrounding area. The development will employ high environmental quality standards because most operations would occur indoors. The development would comply with all development standards identified in the UDO and would not necessitate improvements to the public road, and therefore would function as an integral part of the overall development area of the I-74 / Pleasant View Interchange and have minimal impact on adjacent agricultural land.

Staff Recommendation

The Blue Star Redi Mix plant will be the first industrial development on the south side of the I-74 / Pleasant View Interchange. The quality of development will set a precedent for future commercial and industrial development at the interchange. The Plan Commission should give careful consideration of the nature of the use, aesthetic quality of the development, and impacts on public roads and utilities prior to making a recommendation.

Staff recommends **APPROVAL** with the following stipulations:

1. The property shall not be used for recycling processing, sewage treatment, or outdoor storage of materials unrelated to the proposed ready-mix concrete plant.
2. Development of the site inconsistent with the Site Plan submitted with the rezoning application as determined by the Zoning Administrator shall not be permitted without Site Plan Approval from the Plan Commission.

3. Variances from requirements of the Unified Development Ordinance shall not be permitted without Site Plan Approval from the Plan Commission.
4. Landscape mounding, as well as landscaping required by the Unified Development Ordinance, shall be installed along the entire front property line. Landscaping mounding and all trees at mature height shall in combination be at least 10-feet in height from existing land grade.
5. Outdoor stockpiles of raw materials shall not exceed 9-feet in height.
6. Traffic generated by the development shall not utilize any portion of Frontage Road south of the property. A one-way sign shall be installed by the developer at the exit of the property.
7. The access point shall be developed with 1 inbound lane and 1 outbound lane. These lanes shall be constructed at 15 feet wide. A radius of 40 feet shall be included where the access point ties into Frontage Road.
8. The petitioner shall submit a signed and notarized statement of approval of the petition from the current owner of property located at 9237 N Frontage Rd, Fairland. If signed approval cannot be obtained, hours of operation shall be limited to 7:00 AM to 9:00 PM.

Applicant/Owner Information

Applicant: Star Lite Leasing Inc.
PO Box 837
Zionsville, IN 46077

Owner: William Lee Luebkehan
5512 Hickory Rd.
Indianapolis, IN 46239

Applicant's Attorney: Peter G. DePrez
24 E Polk St.
Shelbyville, IN 46176

Project Engineer: Brian Moench, P.E.
4000 Clarks Creek Rd.
Plainfield, IN 46168

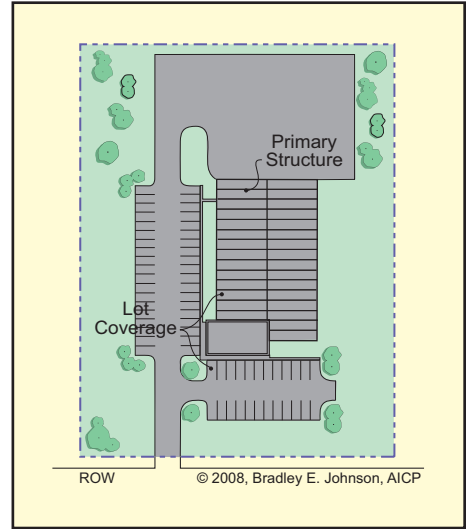
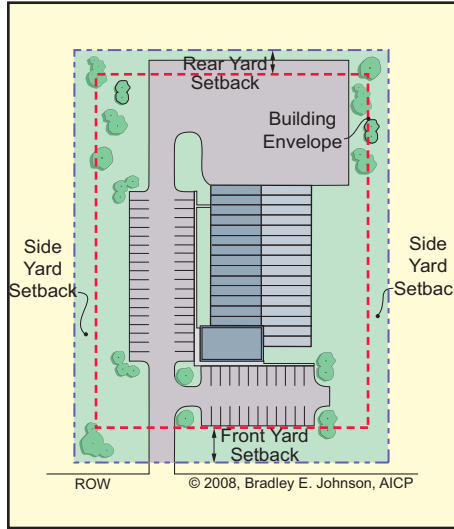
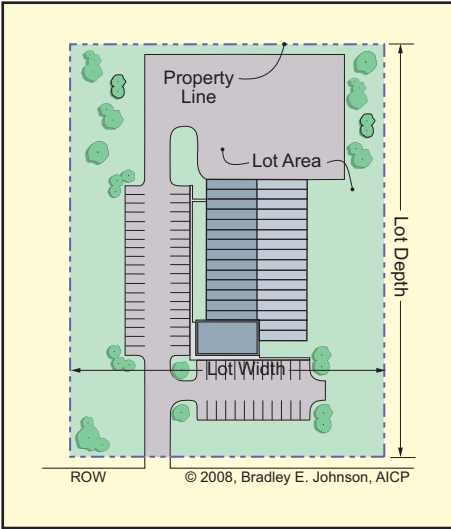
High Intensity Industrial (I2) District

2.35 I2 District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The I2 (High Intensity Industrial) District is intended to be used as follows:</p> <p>Use, Type and Intensity</p> <ul style="list-style-type: none"> Moderate to high intensity industrial uses Industrial parks, manufacturing facilities, and utility usage Stand alone buildings or multiple primary structures <p>Application of District</p> <ul style="list-style-type: none"> Existing and new development <p>Development Standards</p> <ul style="list-style-type: none"> Enact quality time, place, and manner development standards to minimize impacts on adjacent properties while encouraging economic vitality Minimize light, noise, water, and air pollution <p>Appropriate Adjacent Districts</p> <ul style="list-style-type: none"> OP, A3, C2, I1, I2, and HI <p>Plan Commission</p> <ul style="list-style-type: none"> Use this zoning district for existing developments and carefully for new industrial development <p>Board of Zoning Appeals</p> <ul style="list-style-type: none"> Allow a special exception use only when it is compatible with the surrounding areas Be sensitive to the potential for light pollution, noise pollution, loading berth placement, pedestrian safety, and vehicular safety 	<p>Agricultural Permitted Uses</p> <ul style="list-style-type: none"> processing of agricultural products storage of agricultural products <p>Commercial Permitted Uses</p> <ul style="list-style-type: none"> farm implement sales <p>Industrial Permitted Uses</p> <ul style="list-style-type: none"> assembly distribution facility flex-space food processing heavy manufacturing light manufacturing liquid fertilizer storage/distribution outdoor storage radio/TV station recycling processing sewage treatment plant sign painting/fabrication storage tanks (non-hazardous) telecommunication facility testing lab tool and die shop transfer station warehouse warehouse storage facility water treatment plant welding <p>Institutional Permitted Uses</p> <ul style="list-style-type: none"> police, fire, or rescue station recycling collection point 	

High Intensity Industrial (I2) District

2.36 I2 District Development Standards



Minimum Lot Area

- 2 acres

Minimum Lot Width

- 200 feet

Minimum Lot Frontage

- 100 feet

Sewer and Water

- Public sanitary sewer and water utility required

Minimum Front Yard Setback

- 40 feet

Minimum Side Yard Setback

- 20 feet

Minimum Rear Yard Setback

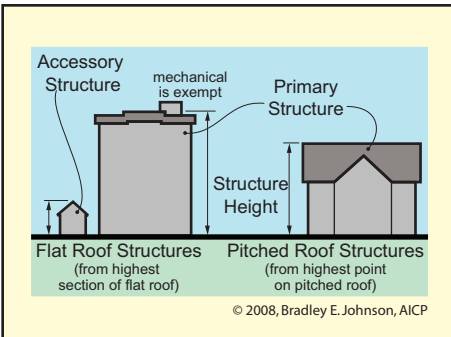
- 20 feet

Maximum Lot Coverage

- 85% of lot area

Maximum Primary Structures

- no limit



Maximum Structure Height

- 70 feet for primary structure
- 60 feet for accessory structure

Additional Development Standards that Apply

Accessory Structure (AS)

- AS-01 Page 5-4
- AS-07 Page 5-6

Density and Intensity (DI)

- DI-01 Page 5-10

Driveway (DW)

- DW-01 Page 5-11
- DW-04 Page 5-14

Environmental (EN)

- EN-01 Page 5-16

Fence and Wall (FW)

- FW-01 Page 5-17
- FW-07 Page 5-19

Floodplain (FP)

- FP-01 Page 5-20

Floor Area (FA)

- FA-01 Page 5-26

Height (HT)

- HT-01 Page 5-27

Landscaping (LA)

- LA-01 Page 5-36
- LA-02 Page 5-37
- LA-05 Page 5-38
- LA-06 Page 5-38
- LA-07 Page 5-39

Lighting (LT)

- LT-01 Page 5-41

Loading (LD)

- LD-01 Page 5-42

Lot (LO)

- LO-01 Page 5-43

Outdoor Storage (OS)

- OS-06 Page 5-46

Parking (PK)

- PK-01 Page 5-44
- PK-03 Page 5-48

Performance (PF)

- PF-01 Page 5-55

Public Improvement (PI)

- PI-01 Page 5-56

Pond (PN)

- PN-01 Page 5-57

Setback (SB)

- SB-01 Page 5-59

Sewer and Water (SW)

- SW-01 Page 5-61

Sign (SI)

- SI-01 Page 5-64
- SI-03 Page 5-68

Storage Tank (ST)

- ST-01 Page 5-71
- ST-02 Page 5-71

Structure (SR)

- SR-01 Page 5-72

Telecom. Facility (TC)

- TC-01 Page 5-73

Temporary Use (TU)

- TU-01 Page 5-75
- TU-04 Page 5-75

Vision Clearance (VC)

- VC-01 Page 5-76

STEVEN J. FEHRIBACH, P.E.
PRESIDENT

R. MATTHEW BROWN, P.E.
VICE PRESIDENT

KAREN K. COLLINS, P.E.
VICE PRESIDENT

JOSEPH T. RENGEL, P.E.
VICE PRESIDENT

REGISTRATION
INDIANA
ILLINOIS
KENTUCKY
MICHIGAN
OHIO
MISSOURI
TEXAS

MEMORANDUM

DATE: MARCH 19, 2020

TO: BRIAN MOENCH
MOENCH ENGINEERING

FROM: STEVEN J. FEHRIBACH, P.E.
PRESIDENT

RE: BLUE STAR EAST
SHELBY COUNTY PROPOSED BATCH PLANT

The purpose of this analysis will be to determine if the traffic generated by the proposed batch plant will have a negative effect on the surrounding road system.

Site Plan:

The proposed site will be located along the existing Frontage Road that runs along Interstate 74 and is approximately ½ mile south of the Marion County / Shelby County line. This site is approximately 8 acres and the proposed access will be at the north portion of the site and will have access to Frontage Road.

Trip Generation

In order to determine the impact that the proposed batch plant will have on the surrounding street system, the number of vehicles entering and exiting the site will need to be calculated. Typically, for this type of use, the following vehicles can be anticipated to enter/exit the site on a daily basis.

- Concrete trucks – 40/day
- Aggregate dump trucks – 15/day
- Cement delivery – 1/day
- Flyash delivery – 1/week

Projected Peak Hour Truck Volume

The projected traffic volumes are a function of how the plant operates. This plant is projected to deliver concrete during daylight hours dawn to dusk. The batch plant can service one truck approximately every 20 minutes. Therefore, it can be seen there will be 3 trucks leaving the site each hour. After the 1st delivery, the empty truck will return to the plant to receive new material. As such, there could be 3 trucks entering the site and 3 trucks exiting the site during daylight hours. This would be the peak hour of vehicles throughout the day. The additional vehicles (dump trucks, cement delivery and flyash delivery) will occur during off-peak times to ensure the maximum amount of material is available to be loaded onto concrete trucks.

Conclusions

- Based on the trips generated during the afternoon hours of 3 trucks entering and 3 trucks exiting, it can be seen that this is a minimal number of vehicles that will make use of the existing Frontage Road.
- Based on the minimal number of vehicles entering or exiting the site, no improvement would be required based on truck volume.

Recommendations

Based on the analysis and the conclusions that have been reached, the following recommendations are provided. The access point should be designed and developed as follows:

- The access point should be developed with 1 inbound lane and 1 outbound lane.
- These lanes should be constructed at 15 feet wide
- A radius of 40 feet should be included where the access point ties into Frontage Road

STATEMENT OF INTENT

Construction and operation of enclosed Ready-Mix Plant. The primary processing plant building will be up to 50 feet tall with 30 feet of two (2) steel silos exposed. All other buildings will be of similar construction not exceeding 30 feet tall.

Expected investment is \$2,600,000 and the number of employees within a year of operation is estimated at eight (8) to fifteen (15).

The ready-mix plant is state of the art with dust collection operating continuously with monitored filter bags.

Incoming and outgoing vehicular traffic will be primarily using the Pleasant View I-74 exit.

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 follow the general guidance related to completing the findings of fact.

Applicant: Star Lite Leasing Inc

Case #: RZ20-03

Location: Frontage Road, East of 850W, Moral Township

1. The request **is** consistent with the Shelby County Comprehensive Plan because: the site is under the Indianapolis Metropolitan Planning Organization, is located near a main transportation corridor including the Pleasant View interchange and is projected for industrial development for the specific reasons set forth in the Comprehensive Plan and under the Future Land Use map adopted.
2. The request **is** consistent with the current conditions and the character of structures and uses in each district because: although there are agricultural and residential uses in the area, the site is near existing uses of similar nature including Brookfield Sand & Gravel, Fire Department Training Network Inc. (a training facility), an electrical contractor (E.E.M.C., Inc.) and a previous gravel pit operation, such uses being designated in IS or I1 districts, as well as in the vicinity of the Pleasant View Commerce Park.
3. The request **is** consistent with the most desirable use for which the land in each district is adapted because: as set forth in the Comprehensive Plan, the site is selected under Chapters 3, 6 and 8 to be utilized as industrial in order to accomplish the goals and action plans established under each Chapter for the Comprehensive Plan.
4. The request **is** consistent with the conservation of property values throughout the jurisdiction because: as set forth in the Comprehensive Plan, Chapter 9, the recommendations under the Comprehensive Plan is to preserve agricultural resources (NR1.3); sets forth best soils for development (NR2.4); sets forth plans for efficient and effective road systems (TS1.1); encourages development on the I-74 corridor (UI2.6); promotes development per the Future Land Use map (LU1.2, 3 and 5); and based upon the identification of industrial development locations (ED2.3).
5. The request **is** consistent with responsible growth and development because: the request follows and fulfills the goals and vision established under the Comprehensive Plan as set forth under Chapter 1; helps protect prime agricultural ground by locating industrial uses in specified areas as recommended under Chapters 3 & 6; utilizes areas along a transportation corridor under Chapter 5; concentrates business, commercial and industrial growth to that area reflected in the Comprehensive Plan around the Pleasant View interchange under Chapter 7 and is a focus area under Chapter 8 & 9.

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?

SITE SPECIFICS

