

**Shelby County Plan Commission
Meeting Minutes
Tuesday
November 28, 2023**

Members Present:

Megan Hart
Taylor Sumerford
Terry Smith
Kevin Carson
Scott Gabbard
Jason Abel
Nick Hartman

Members Absent:

Charity Mohr
Mike McCain

Staff Present:

Desiree Calderella – Planning Director
Jason Clark – Plan Commission Attorney

Call to Order and Roll Call:

Terry Smith called the November 28, 2023 meeting to order at 7:00 pm in Room 208 A at the Court House Annex.

Approval of Minutes:

Jason Abel made a motion to approve the minutes from October 24, 2023. Kevin Carson seconded the motion. The minutes were approved 7-0.

Old Business:

SD 23-16 – RHODEN SIMPLE SUBDIVISION: Simple Subdivision of 5-acres into a 2.5-acre building lot and a 2.5-acre lot including an existing single-family residence and waiver of subdivision standards to allow Simple Subdivision of property less than 6-acres. Located at 6045 N 600 W, Fairland, Moral Township.

Desiree Calderella stated that the petitioner had requested that the Board continue the petition. Scott Gabbard made a motion to continue the petition and Kevin Carson seconded the motion. The petition was **CONTINUED**.

RZ 23-20 – WELLS REZONING: Findings of Fact for Denial.

Kevin Carson made a motion to adopt the Findings of Fact for Denial presented in the meeting packet and Megan Hart seconded that motion. **The findings of fact for denial were APPROVED.**

The Board adopted the following findings of fact:

1. Current Conditions and the Character of Current Structures and Uses in Each District: The Unified Development Ordinance does not list the adjacent A2 District as an appropriate adjacent district to the C2 District. Approval of the rezoning without an intent or plan for the property may result in undesirable development that would negatively impact surrounding properties.
2. The Most Desirable Use for Which the Land in Each District Is Adapted: The Unified Development Ordinance does not list the adjacent A2 District as an appropriate adjacent district to the C2 District. Approval of the rezoning without an intent or plan for the property may result in undesirable development that would negatively impact surrounding properties.
3. The Conservation of Property Values throughout the Jurisdiction: Use and development of the property would have a greater impact on the overall community due to the location of the property at the interchange of I-74 & SR 244. Approval of the rezoning without an intent or plan for the property may result in undesirable development that would negatively impact property values throughout the jurisdiction.
4. Responsible Development and Growth: Use and development of the property would have a greater impact on the overall community due to the location of the property at the interchange of I-74 & SR 244. Approval of the rezoning without an intent or plan for the property may result in undesirable development that would negatively impact the County.
5. The Comprehensive Plan: The Comprehensive Plan recommends use of the property for Estate Residential purposes.

RZ 23-21 – FAIRLAND INVESTMENT INC. REZONING: Findings of Fact for Denial.

Kevin Carson made a motion to adopt the Findings of Fact for Denial presented in the meeting packet and Nick Hartman seconded that motion. **The findings of fact for denial were APPROVED.**

The Board adopted the following findings of fact:

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

- District: The Unified Development Ordinance does not list the adjacent R1 District and adjacent A1 District as appropriate adjacent districts to the I2 District. Noise and other undesirable nuisance impacts associated with industrial development would impact the use and value of adjacent residential properties.
2. The Most Desirable Use for Which the Land in Each District Is Adapted: Development of the property would result in removal of a mature wooded area that provides a natural asset to the community.
 3. The Conservation of Property Values throughout the Jurisdiction: Use and development of the property would have a greater impact on the overall community due to location of the property along the highly visible I-74 corridor. Approval of the rezoning without an intent or plan for the property may result in undesirable development that would negatively impact property values throughout the jurisdiction.
 4. Responsible Development and Growth: Use and development of the property would have a greater impact on the overall community due to location of the property along the highly visible I-74 corridor. Approval of the rezoning without an intent or plan for the property may result in undesirable development that would negatively impact the County.
 5. The Comprehensive Plan: The Comprehensive Plan recommends use of the property for industrial purposes. However, other considerations referenced in these findings render approval of the rezoning undesirable.

New Business:

RZ 23-22 – MEADOR REZONING: Rezoning of 7.16-acres from the A1 (Conservation Agricultural) District to the RE (Residential Estate) District to allow for a one-lot Simple Subdivision. Located north of and adjoining 7587 S 600 W, Edinburgh, Jackson Township.

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

Scott Sumerford represented the petitioner and indicated that the property owner's child intended to build a house near the center of the proposed lot.

The Board opened the hearing for public comment. There was none. The Board closed the public comment portion of the hearing.

Kevin Carson indicated that he supported the petition because development of the lot would not remove prime farmland.

Kevin Carson made a motion of vote on the petition and Nick Hartman seconded that motion. **The petition was APPROVED 7-0.**

The Board adopted the following findings of fact:

1. The request is consistent with the Shelby County Comprehensive Plan.
2. The request is consistent with the current conditions and the character of structures and uses in each district.
3. The request is consistent with the most desirable use for which the land in each district is adapted.
4. The request is consistent with the conservation of property values throughout the jurisdiction.
5. The request is consistent with responsible growth and development.

SD 23-17 – MEADOR SIMPLE SUBDIVISION: Simple Subdivision of 7.16-acres from a 21.75-acre parent tract. Located north of and adjoining 7587 S 600 W, Edinburgh, Jackson Township.

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

Scott Sumerford represented the petitioner and had no comment.

The Board opened the hearing for public comment. There was none. The Board closed the public comment portion of the hearing.

Scott Gabbard made a motion of vote on the petition and Nick Hartman seconded that motion. **The petition was APPROVED 7-0.**

RZ 23-23 – GLACKMAN REZONING: Rezoning of 3-acres from the A2 (Agricultural) District to the RE (Residential Estate) District to allow for a one-lot Simple Subdivision. Located east of and adjoining 5009 W 500 N, Fairland, Brandywine Township.

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

Scott Sumerford represented the petitioner and indicated that the property owner's child intended to build a house on the property, that the house would not encroach into the floodplain, and that much of the property would continue to be farmed.

The Board opened the hearing for public comment. There was none. The Board closed the public comment portion of the hearing.

Kevin Carson made a motion of vote on the petition and Scott Gabbard seconded that motion. **The petition was APPROVED 7-0.**

The Board adopted the following findings of fact:

1. The request is consistent with the Shelby County Comprehensive Plan.
2. The request is consistent with the current conditions and the character of structures and uses in each district.
3. The request is consistent with the most desirable use for which the land in each district is adapted.
4. The request is consistent with the conservation of property values throughout the jurisdiction.
5. The request is consistent with responsible growth and development.

SD 23-18 – GLACKMAN SIMPLE SUBDIVISION: Simple Subdivision of 3-acres from a 10.11-acre parent tract. Located east of and adjoining 5009 W 500 N, Fairland, Brandywine Township.

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

Scott Sumerford represented the petitioner and had no comment.

The Board opened the hearing for public comment. There was none. The Board closed the public comment portion of the hearing.

Kevin Cason made a motion of vote on the petition and Jason Abel seconded that motion. **The petition was APPROVED 7-0.**

APPROVAL OF 2024 MEETING CALENDAR

Kevin Carson made a motion to approve the 2024 meeting calendar and Scott Gabbard seconded that motion. **The calendar was APPROVED.**

Discussion:

Amended Plat for Tracts #3 & #4 Brandywine Trace Subdivision

Desiree Calderella explained that the UDO allows the Planning Director to administratively approve minor amendments to plats and that she had approved an amendment to Tracts #3 & #4 of Brandywine Trace Subdivision which adjusted a property line.

Shelby County Sub Area Plan Progress Update – American Structurepoint Inc.

Philip Roth with American Structurepoint Inc. provided a summary of the project to the Plan Commission (see slides in Sub Area Plan file). The presentation included introductions of project staff, overview of the project, planning process, preliminary findings, next steps, and general discussion.

The Board asked questions about review of the transportation networks, plans for public participation, and plan implementation.

No members of the public attended the meeting in person or via Zoom.

Adjournment:

With no further business to come before the Board, Kevin Carson made a motion to adjourn. Scott Gabbard seconded that motion. The meeting was adjourned.

Terry Smith
President

Date

Scott Gabbard
Secretary

Date