

**Shelby County Plan Commission
Meeting Minutes
Tuesday
February 23, 2021**

Members Present:

Doug Warnecke
Chris Ross
Terry Smith
Scott Gabbard
Mike McCain
Charity Mohr
Taylor Sumerford

Members Absent:

Steve Mathies
Kevin Carson

Staff Present:

Desiree Calderella – Planning Director
Mark McNeely – Plan Commission Attorney

Call to Order and Roll Call:

Doug Warnecke called the February 23, 2021 meeting to order at 7:00 pm in Room 208 A at the Court House Annex.

Approval of Minutes:

Chris Ross made a motion to approve the minutes from January 26, 2021. Mike McCain seconded the motion. The minutes were approved 7-0.

Public Hearings:

Old Business

None.

New Business

RZ 21-03 – SMITH REZONING: Rezoning of 1.144 acres from the RE (Residential Estate) District to the R1 (Single- Family Residential) District to allow for a two-lot Simple Subdivision. Located at 11949 S 300 W, Flat Rock, Washington Township.

This petition was continued to March 23, 2021.

SD 21-01 – SMITH SIMPLE SUBDIVISION: Subdivision of 3.458 acres into a 2.314-acre building lot and a 1.144-acre lot including an existing single-family residence and waivers to allow Simple Subdivision of a 3.458-acre parent tract (minimum 6 acre parent tract required), Simple Subdivision of property zoned R1 (Simple Subdivisions only permitted in the A3, A4, & RE Districts), a lot having 25-feet of road frontage (minimum 50-feet of frontage required), a lot having a width of 25-feet (minimum 100-feet lot width required), a new lot in the R1 District without access to public water & sewer, and side lot lines not within a 15-degree angle to the right-of-way. Located at 11949 S 300 W, Flat Rock, Washington Township.

This petition was continued to March 23, 2021.

RZ 21-04 – SEARLE REZONING: Rezoning of 2.221 acres from the A2 (Agricultural) District to the RE (Residential Estate) District to allow for a two-lot Simple Subdivision. Located at 7795 W 725 S, Edinburgh, Jackson Township.

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

Scott Sumerford represented the petitioner. He stated that the petitioner intends to build a new home on the larger lot.

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

Chris Ross made a motion to vote on the petition and Charity Mohr 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 21-02 – SEARLE SIMPLE SUBDIVISION: Subdivision of 17.498 acres into a 15.277-acre building lot and a 2.221-acre lot including an existing single-family residence and waivers to allow Simple Subdivision of property zoned A2 (Simple Subdivisions only permitted in the A3, A4, & RE Districts) and side lot lines not within a 15-degree angle to the right-of-way. Located at 7795 W 725 S, Edinburgh, Jackson Township.

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

Scott Sumerford represented the petitioner. He did not have any additional comment.

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

Charity Mohr made a motion to vote on the petition and Chris Ross seconded that motion. **The petition was APPROVED 7-0.**

SD 21-03 – STANTON SIMPLE SUBDIVISION: Subdivision of one 4.9-acre building lot from a 10.67-acre parent tract. Located at 1390 W Flat Rock Rd, Flat Rock, Washington Township.

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

Scott Sumerford represented the petitioner. He stated that the petitioner intends to sell the lot and the buyer intends to build a home on the lot.

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

Taylor Sumerford stated that he is concerned about building a home in the floodplain.

Scott Sumerford explained the proposed building plans and the process for building a home in the floodplain.

Q: Doug Warnecke – Would they need to elevate the driveway, and has the Health Department approved plans for a septic system?

A: Scott Sumerford – They would elevate the driveway and the Health Department has approved plans for a septic system outside of the flood hazard area.

Charity Mohr made a motion to vote on the petition and Chris Ross seconded that motion. **The petition was APPROVED 6-1**, with Taylor Sumerford casting the negative vote.

RZ 21-05 – MOHR 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 on the north side of W 900 S, between Mt. Auburn Cemetery & 5554 W 900 S, Jackson Township.

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

Scott Sumerford represented the petitioner. He stated that the petitioner intends to build a new home on the lot.

Charity Mohr was present.

The Board opened the hearing for public comment.

Daren Lee, who owns property at 5887 W PR 884 S, Edinburgh, stated that he did not want agricultural land zoned residential.

The Board closed the public comment portion of the hearing.

Charity Mohr explained that they had tried to choose the location most appealing to the neighbors when deciding on where to subdivide out the building lot from the parent tract. She stated they only plan to build one house.

Q: Doug Warnecke – Is the request consistent with the Comprehensive Plan?

A: Desiree Calderella – Yes.

Chris Ross made a motion to vote on the petition and Terry Smith seconded that motion. **The petition was APPROVED 6-0**, with Charity Mohr abstaining.

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 21-04 – MOHR SIMPLE SUBDIVISION: Subdivision of one 3-acre building lot from a 30.22-acre parent tract and waivers to allow a lot having 50-feet of road frontage (minimum 160-feet required), having a width of 50-feet (minimum 160-feet required), and having side lot lines not within a 15-degree angle to the right-of-way. Located on the north side of W 900 S, between Mt. Auburn Cemetery & 5554 W 900 S, Jackson Township.

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

Scott Sumerford represented the petitioner. He did not have any additional comment.

