

# HAMILTON MAJOR PLACE



## Planned Development District Detailed Plan

Submitted for November 18, 2019 City Council  
Second Reading

## SECTION 1: DECLARATION

The Unified Development Ordinance (the "UDO") of the City of Shelbyville, Indiana, as amended, and the Official Zoning Map of the City of Shelbyville, Indiana, dated January 18, 2012, as amended, which accompanies and is a part of the Zoning Code of the City of Shelbyville, Indiana, are hereby amended as follows:

The zoning classification of the real estate legally described in "Exhibit A" of this Ordinance, is hereby designated as a Planned Development (PD) District, and that said PD zoning district shall hereafter be known as the "Hamilton-Major PD."

## SECTION 2: PURPOSE AND INTENT

The purpose and intent of the Hamilton-Major PD is to provide for high quality, infill residential development on approximately 4.75 acres within the West Side Historic District of Downtown Shelbyville. Its focus is to create a walkable neighborhood with custom home building sites that blends with the architectural character and the quality of the exceptional homes within the area. Additionally, it seeks to provide an opportunity for a high-quality townhome development to make a mix of desired housing opportunities available close to Shelbyville's Public Square.

To the extent that the development, architectural, landscaping and parking standards specified in this PD Ordinance conflict with or address the same subject matter as the City's Zoning and Subdivision Control Ordinances, the standards specified in this PD Ordinance shall replace and supersede any such standard. Matters not governed by this PD Ordinance shall be governed by the terms, conditions, and provisions of the UDO as amended from time to time. Items not addressed shall utilize the development standards of the UDO for the most similar zoning district as determined by the Plan Commission Director.

### SECTION 3: LAND USE

***Intent:***

*The Hamilton-Major PD is located within the heart of Shelbyville's Westside Historic District and is near some of the city's most historically prominent homes. The land uses established by the PD are consistent with the surrounding residential land uses and seek to provide for a mix of desirable housing opportunities that will enhance the quality of the existing neighborhood.*

The Hamilton Major PD is divided into two (2) land use Areas as depicted in the "Hamilton-Major PD Concept Plan" attached hereto as "Exhibit B." The permitted land use for each Area shall be as follows:

**A. Area 1: HMPD - Single Family Residential**

Permitted use in Area 1 shall consist of Single Family Residential subject to the standards and restrictions contained in the PD and the Shelbyville, Indiana UDO with respect to the Single Family Residential (R1) District.

**B. Area 2: HMPD – Townhome Development**

Permitted uses in Area 2 shall consist of a Townhome Development or Single Family Residential subject to the standards and restrictions contained in the PD and the Shelbyville, Indiana UDO with respect to the Multiple Family (RM) District or the Single Family Residential (R1) District.

Should the City elect to permit a Single Family Housing Development in Area 2, building lots must be created following the city's platting process and all standards provided in the PD for HMPD – Single Family Residential for development, construction, and alterations shall apply.

**Current Use:**

All property located within Area 2 owned by Major Hospital or its affiliates is hereby grandfathered in and exempt from all requirements within this PUD until one of the following occur:

- a. Major Hospital, or its affiliates, transfer or sell the property to a non-related entity; or
- b. The property is used for residential purposes.

At that time all requirements within this PUD become applicable, including, but not limited to, review by the ACC, architectural standards, and building standards

## SECTION 4: DEVELOPMENT STANDARDS

### **Intent:**

*The Development Standards established by this document seek to mimic the character of the traditional, historic neighborhood that surrounds the Hamilton-Major PD. Specific characteristics of the surrounding neighborhood include compact and high-quality development, safe and walkable streets, and large custom-built homes.*

All design and development of all property within the Hamilton-Major PD shall comply with the following standards:

### **A. Area 1: HMPD - Single Family Residential**

#### **1. Minimum Lot Area:**

The minimum lot area for all single-family residential lots shall be as established by the approved Hamilton-Major Secondary Plat attached as “Exhibit B.” No further subdivision of lots shall be permitted.

#### **2. Maximum Lot Area:**

The maximum lot area for all single-family residential lots shall be as established by the approved Hamilton-Major Secondary Plat attached as “Exhibit.” No combination of lots shall be permitted.

#### **3. Allowable Structure Types:**

The following structure types may be constructed within Area 1: HMPD – Single Family Residential and must comply with the Architectural Control Standards established by the PD:

##### **a. Primary Structure:**

A Primary Structure shall be defined as a single-family home with a minimum footprint of 1,200 square feet and a minimum livable area 2,200 square feet. No more than one (1) Primary Structure will be allowed per lot.

##### **b. Accessory Structure:**

An Accessory Structure shall be defined as a structure that is subordinate and incidental to the Primary Structure with a minimum footprint of 300 square feet and a maximum footprint of one-half the Primary Structure footprint. One (1) Accessory Structure will be allowed per lot.

Allowable Accessory Structure uses include the following: detached garage, pool house/game room, in-law quarters/Accessory Dwelling Unit, workshop, greenhouse, storage building, and home occupation. Accessory Uses shall be subject to the standards established in this PD and Article 5 of the UDO. Play equipment and pools



shall not be counted as accessory structures for the purpose of this PD; however, they will be required to meet the standards contained herein and established by the UDO.

**c. Minor Accessory Structure:**

A Minor Accessory Structure shall be defined as a structure that is subordinate and incidental to the Primary Structure with a footprint of 300 square feet or less. One (1) Minor Accessory Structure will be allowed per lot.

Allowable Minor Accessory Structure uses include the following: storage shed, pool house/game room, workshop, greenhouse.

**4. Lot Orientation and ~~Minimum~~ Setbacks:**

Lots shall be oriented so that front yards are established as yards nearest to Washington Street or Franklin Street as defined below. Corner lots shall have one established front yard as defined in the matrix.

**a. Lot Orientation and ~~Minimum~~ Primary Structure Setbacks:**

Lot:	Front Yard Orientation:	<u>Minimum</u> Front Yard:	<u>Maximum</u> Front Yard:	Side Yard:	Rear Yard:
L1, L2, L3, L4	Washington Street	15'	<u>20'</u>	8'	20'
L5, L6, L7, L8	Franklin Street	8'	<u>12'</u>	8'	20'
L9, L10, L11, L12, L13	Franklin Street	8'	<u>12'</u>	8'	20'

**b. Minimum Accessory Structure and Minor Accessory Structure Setbacks:**

	Front Yard:	Side Yard:	Rear Yard:
Accessory Structure	*	5'	4'

\*Accessory structures shall not project beyond the front façade of the primary structure.

**5. Maximum Structure Height:**

Structure height shall be measured as the distance between the lowest adjacent grade to the structure and the highest point on the structure.

**a. Primary Structure:**

The maximum height for Primary Structures shall be 2-1/23 stories. In no instance shall the structure exceed forty (4045) feet in height.

**b. Accessory Structure:**

The maximum height for Accessory Structures shall be 2 stories. In no instance shall the Accessory Structure exceed the less of twenty-five (25) feet or the height of the Primary Structure.

**c. Minor Accessory Structure:**

The maximum height of Minor Accessory Structures shall be fifteen (15) feet.

**6. Maximum Lot Coverage Area:**

Lot coverage area shall be the total area of all impervious improvements to the site such as structures, porches, drives, sidewalks, paved areas, pools, etc. In no instance shall the maximum lot coverage area exceed 80% of the total lot area.

**7. Sidewalks:**

Sidewalks shall be required along all public streets and must be installed by the owner at the time of construction. Sidewalks must meet the location and construction standards established by the UDO and City of Shelbyville Construction Standards.

**8. Landscaping:****a. Street Trees:**

A minimum of two (2) canopy street trees shall be required along each public street or alley per lot, excluding an alley in a rear yard. Canopy trees shall be a minimum ~~three~~two-inch caliper at the time of planting. As possible, street trees shall be planted between the curb and sidewalk, at least ten (10) feet from any drive cuts and outside vision clearance triangle established by the UDO. A list of recommended street trees has been provided in Attachment D.

**b. Ornamental and ~~Deciduous-Shade~~ Trees:**

A minimum of one (1) ornamental ~~and-or~~ one (1) ~~deciduous-shade~~ tree shall be provided in each front yard. A minimum of one (1) ornamental and one (1) shade shall be provided -and-in each rear yard. A minimum of one (1) ornamental ~~and-or~~ one (1) ~~deciduous-shade~~ tree shall be provided in each side yard adjacent to a public street. Ornamental and ~~deciduous-shade~~ trees in residential yards shall be a minimum two-inch caliper at the time of planting.

**c. Foundation Plantings:**

Facades of a primary structure that face a public street or alley shall require a minimum of ~~eight (8)~~nine (9) shrubs planted within six (6) feet of the foundation. Rear facades that face a public alley shall be excluded.

**d. Maintenance:**

Required minimum landscape material shall be kept alive and in good health.

**9. Improvement Location Permit Process:**

Area 1: HMPD – Single Family Residential shall be subject to the Improvement Location Permit process as established by the UDO and all other necessary reviews and approvals as determined by the City of Shelbyville Planning Staff. The City may not issue an Improvement Location Permit until the development receives approval from the Architectural Control Committee established by this PD. This PD shall provide all available relief from the standards provided herein under the terms, processes, and appropriate governing bodies established by the UDO.

A permit for construction must be submitted no later than 12 months after purchase of a lot. Failure to apply for a permit within the specified time will be subject to the enforcement procedures and fines established within the UDO.

**B. Area 2: HMPD – Townhome Development**

**1. Minimum Lot Area:**

~~The minimum lot area shall be 15,000-SF.~~ No minimum lot area is required.

**2. Allowable Structure Types:**

The following structure types may be constructed within Area 2: HMPD – Townhome Development and must comply with the Architectural Control Standards established by the PD:

**a. Primary Structure:**

A Primary Structure shall be defined as a building where dwelling units are joined side-by-side and separated by shared walls. Each dwelling unit shall have independent access to the frontage. The maximum number of dwelling units shall be seven (7) units per building. Each unit shall have a minimum livable area of 1,800 square feet.

**b. Accessory Structure:**

An Accessory Structure shall be defined by the standards established in the City of Shelbyville UDO, Accessory Use and Structures, AS-01, AS-02, AS-04, with respect to the Multiple-family Residential (RM) District.

**3. Lot Orientation and Minimum Setbacks:****a. Lot Orientation:**

Lots shall be oriented so that front yards are nearest to public streets.

**b. Minimum Primary Structure Setbacks:**

	Front Yard:	Side Yard:	Rear Yard:
Primary Structure	0'	<del>20'</del> 0'	40'

**c. Minimum Accessory Structure Setbacks:**

	Front Yard:	Side Yard:	Rear Yard:
Accessory Structure	40	10'	10'

**4. Maximum Structure Height:**

Structure height shall be measured as the distance between the lowest adjacent grade to the structure and the highest point on the structure.

**a. Primary Structure:**

The maximum height for a Primary Structure shall be 3-1/2 stories. In no instance shall the structure exceed forty-five (~~45~~55) feet in height.

**b. Accessory Structure:**

The maximum height for Accessory Structures shall be 1 story. In no instance shall the Accessory Structure exceed the less of twenty (20) feet or the height of the Primary Structure.

**5. Maximum Lot Coverage Area:**

Lot coverage area shall be the total area of all impervious improvements to the site such as structures, porches, drives, sidewalks, paved areas, pools, etc. In no instance shall the maximum lot coverage area exceed ~~80~~90% of the total lot area.

**6. Sidewalks:**

Sidewalks shall be required along all public streets and must be installed by the developer at the time of construction. Sidewalks must meet the location and construction standards established by the UDO and City of Shelbyville Construction Standards.



**7. Landscaping:**

**a. Street Trees:**

One (1) canopy street tree shall be required for each 25 linear feet of frontage along a public street. Canopy trees shall be a minimum ~~threetwo~~-inch caliper at the time of planting. As possible, street trees shall be planted between the curb and sidewalk, at least ten (10) feet from any drive cuts, and outside the vision clearance triangle established by UDO. A list of recommended street trees has been provided in Attachment D.

**b. Ornamental and ~~Deciduous-Shade~~ Trees:**

A minimum of one (1) ornamental and one (1) ~~deciduous-shade~~ tree shall be provided for each 5,000 square feet of lot area and should be distributed appropriately across the property. Ornamental and ~~deciduous-shade~~ trees shall be a minimum ~~threetwo~~-inch caliper at the time of planting.

**c. Foundation Plantings:**

All facades of a Primary Structure shall require one (1) shrub planted within six (6) feet of the foundation for every ~~10- four (4)~~ linear feet of foundation. Plantings may be grouped as permitted by the ACC. No foundation planting will be required ~~on a zero (0) lot line façade~~ for facades with a setback of less than four (4) feet.

**d. Parking Lot Perimeter/Access Drive Perimeter Planting:**

A landscape area shall be designed, constructed, and maintained around a minimum of 80% of the perimeter of any parking lot and or access drive. The landscape area shall at no point measure less than six (6) feet in width. It shall be planted with a combination of shrubs and trees to partially screen parking areas and drives from view from public streets and adjacent properties. A minimum of one (1) tree and ~~five (5)~~three (3) shrubs shall be provided for every 600 square feet of landscape area. Plantings may be grouped as permitted by the ACC. An ~~equal~~approximate mix of one third ornamental ~~and to two thirds~~ deciduous-shade trees shall be provided.

**e. Maintenance:**

Required minimum landscape material shall be kept alive and in good health.

**8. Site Development Plan Process:**

Area 2: HMPD – Townhome Development shall be subject to the Site Development Plan Review process as established by the City of Shelbyville UDO and all other necessary reviews and approvals as determined by the City of Shelbyville Planning Staff. The City may not

issue an Improvement Location Permit until the development receives approval from the Architectural Control Committee established by the PD. This PD shall provide all available relief from the standards provided herein under the terms, processes, and appropriate governing bodies established by the UDO.

**9. Single Family Residential Development:**

Should the City permit a Single Family Residential Development in Area 2, all standards provided in the PD for HMPD – Single Family Residential for development, construction, and alterations shall apply.

## SECTION 5. ARCHITECTURAL CONTROL COMMITTEE:

### ***Intent:***

*An Architectural Control Committee will be responsible for reviewing specific aspects or proposed plans for construction and alterations to structures to ensure that any new development preserves property values and is consistent with the quality and character of the surrounding neighborhood.*

The purpose of the Architectural Control Committee (ACC) is to provide oversight and to ensure any improvements or development within the PD are consistent and complementary to the surrounding neighborhood and comply with the Architectural Control Standards established in Section 6 of the PD.

### **A. Establishment of the Architectural Control Committee:**

The ACC shall be established per the following requirements of the PD within 30 days of its adoption by the City of Shelbyville.

#### **1. Minimum Qualifications of Members:**

Each member of the ACC shall be at least 18 years of age and a resident of the City of Shelbyville. As possible, consideration should be given by their designator or designating body to appoint members with an understanding of basic architectural concepts, construction, and/or development.

#### **2. Composition:**

The ACC shall consist of the following five (5) members:

- a. Two (2) designees as appointed by the Shelbyville Plan Commission with one member being a sitting member of the plan commission.
- b. Two (2) designees as appointed by the Mayor of Shelbyville. Mayoral appointees must live within 600-ft of the boundary of the PD.
- c. The Executive Director of Mainstreet Shelbyville or a representative appointed by the Mainstreet Shelbyville Board, should the director not meet the minimum qualifications of members.

#### **3. Term:**

Members shall be elected to the ACC for one (1) year terms upon the establishment of the PD. Member terms shall be considered renewed for one (1) year upon each anniversary of their election, unless replaced by their designator or designating body. Members may be replaced at any time and for any reason by their designator or designating body. Upon resignation from the ACC, members shall be replaced by their designator or designating body within 30 days of notice.

**4. Staff:**

The City of Shelbyville Plan Commission Staff will serve as staff to the ACC and will coordinate all meetings and keep record of documents and proceedings.

**B. Responsibilities:**

The ACC shall provide oversight and ensure any improvements or development within the PD are consistent and complementary to the character of the surrounding neighborhood and comply with the Architectural Control Standards established in Section 6 of the PD. The ACC shall be responsible for the review and approval of the following improvements and alterations to parcels within the PD:

- All Primary Structures and Accessory Structures
- Additions and Renovations to Primary Structures and Accessory Structures
- Play Equipment, Fencing, and Compliance with Landscaping Requirements
- Driveways, Approaches, and Parking areas

The ACC shall pay reasonable regard to ensure a variation of design between structures within the district. Identical designs, or very similar designs, to previously approved submittals shall be prohibited. The ACC should seek to approve designs that match the varied architectural styles within the surrounding neighborhood, balanced with modern construction techniques and design.

The role of the ACC should be considered subjective, and committee members should use their best judgement to ensure that approved structures and alterations are compatible with the surrounding neighborhood and meet the standards and intent of the PD.

The owner of a parcel may not file for a building or improvement location permit or commence any construction activities until Final Approval has been granted by the ACC. The City of Shelbyville shall not issue any permits for construction until Final Approval has been granted by the ACC.

Regular maintenance shall not require review by the ACC, so long as repairs are made with the same materials and colors as originally approved.

**C. Procedure:****1. Preliminary Site Plan and Elevation Submittal, Initial Approval:**

All plans for Primary Structures, Accessory Structures, additions, and alterations to Primary Structures and Accessory Structures shall be prepared and certified by an architect licensed by the state of Indiana.

Prior to obtaining detailed architectural plans, the owner of a parcel and its architect shall submit a preliminary site plan and structure elevation to the Architectural Control Committee. The preliminary site plan shall at a minimum indicate the location of all



structures, driveways, parking areas, porches, fences, and landscape areas to scale, with dimensions. Preliminary building elevation shall be provided for the Primary Façade of all structures and shall clearly indicate all material types and percent composition, fenestration, colors, design elements to scale and with dimensions.

Within fifteen(15) days of receipt of the plans, the ACC shall make the one of the following declarations:

**a. Initial Approval:**

Plans are approved and comply with the Architectural Control Standards established by the PD and require no modification.

**b. Conditional Approval:**

Plans generally comply with the Architectural Control Standards established by the PD and require minor modifications to meet all required standards. The ACC will provide a complete list of all required modifications that must be incorporated in the final submittal for approval.

**c. Disapproval:**

Plans do not comply with the Architectural Control Standards established by the PD and require major modifications to meet required standards. The ACC shall provide specific reasons for disapproval.

**2. Final Site Plan and Elevation Submittal, Final Approval:**

After obtaining Initial Approval, the owner of a parcel and its architect shall submit a final site plan and structure elevations to the Architectural Control Committee for Final Approval.

The final site plan shall indicate the final location of all structures and the location and material type of all driveways, parking areas, porches, fencing, landscaping areas, and landscape plantings to scale and with dimensions. Final building elevations shall be provided for each façade and shall clearly indicate all material types and percent composition, fenestration, colors, design elements to scale and with dimensions.

Within fifteen(15) days of receipt of the plans, the ACC shall make one of following declarations:

**a. Final Approval:**

Plans are approved and comply with the standards established by the PD and require no modification.

**b. Disapproval:**

Plans do not comply with the standards established by the PD and require modifications and resubmittal to meet required standards. The ACC shall provide specific reasons for disapproval.

After final approval has been granted, any modifications to plans must be submitted and approved by the ACC.

Upon receipt of Final Approval from the ACC, a parcel owner may apply for a Building and/or Improvement Location Permit from the City of Shelbyville.

The City may not issue a Certificate of Occupancy until Staff certifies that all completed improvements are in accordance with the approved plans.

**3. Electronic Meetings and Voting:**

The ACC may conduct meetings, review documents, comment, ask questions, and provide responses via email or other electronic means so long as each member is included in correspondence. The ACC may issue approvals, disapprovals, and vote on matters to come before the ACC via email or other electronic means so long as each member affirms a call for electronic vote and provides a vote.

## SECTION 5. ARCHITECTURAL CONTROL STANDARDS:

### ***Intent:***

*The Architectural Control Standards established by the PD seek to ensure that the aesthetic qualities of new development are harmonious and consistent in quality with the surrounding neighborhood.*

### **A. Area 1: HMPD - Single Family Residential**

#### **1. Compatibility:**

All structures within the PD should be compatible in design, materials, and architecture to existing structures within the City of Shelbyville's West Side Historic District. Care should be given by the Architectural Control Committee to approve designs that are congruent with the design and quality of the architecturally contributing homes within the district, but also balance modern construction methods and modern architectural design.

#### **2. Professional Design Requirement:**

All Primary and Accessory Structures shall be designed and certified by an architect licensed by the State of Indiana.

#### **3. Primary Structure Architectural Standards:**

##### **a. Primary Façade:**

The Primary Façade shall be defined as the front of the structure that includes the main entrance to the structure and faces a public street. All Primary Structures within the PD are required to have one primary façade that faces either Washington Street or Franklin Street. Requirements for the Primary Façade consist of the following:

##### **i. Orientation:**

The Primary Façade shall be defined as the front of the structure that is oriented to face either Washington Street or Franklin Street as defined below:

<b>Lot:</b>	<b>Primary Façade Orientation:</b>
L1, L2, L3, L4	Washington Street
L5, L6, L7, L8	Franklin Street
L9, L10, L11, L12, L13	Franklin Street

ii. **Main Entrance:**

A highly visible building entry shall be oriented to the adjacent major street consistent with the design of the structure. The entry shall include a minimum 5' wide concrete or paver walkway from the public sidewalk to the dwelling entry. The entry shall be covered and include a stoop, porch, or balcony over the entrance.

iii. **Materials:**

Primary building materials may consist of up to two of the following: brick, natural stone, cultured stone, smooth wood siding, smooth fiber cement siding.

In allowing unlisted materials, the ACC should exercise an abundance of caution to allow only materials with significant longevity that are consistent with the quality and character of the PD.

iv. **Accent Materials:**

Accent materials may consist of natural stone, cultured stone, or architectural metal such as stainless steel, copper, brushed nickel, brass, or similar. Accent materials, if used, may compose up to 25% of the façade.

v. **Glazing:**

Glazing must compose a minimum 20% of the surface area of a Primary Façade.

**b. Secondary Façades:**

The Secondary Façade shall be defined as the sides and rear of the structure and should match the Primary Façade in material composition, colors, and general fenestration. Requirements for Secondary Facades consist of the following:

i. **Materials:**

Secondary Façade building materials must compliment the Primary Façade and may consist of the following: brick, natural stone, cultured stone, smooth wood siding, smooth fiber cement siding.

In allowing unlisted materials, the ACC should exercise an abundance of caution to allow only materials with significant longevity that are consistent with the quality and character of the PD.

ii. **Accent Materials:**



Accent materials must compliment the Primary Façade and may consist of natural stone, cultured stone, or architectural metal such as stainless steel, copper, brushed nickel, brass, or similar. Accent materials may compose up to 25% of the façade.

iii. **Glazing:**

Glazing must compose a minimum 15% of the surface area of a Secondary Façade that faces a Public Street. In all other instances glazing must compose a minimum 10% of the total façade surface area.

c. **Prohibited materials:**

The following materials are prohibited from use on any building within the PD:

- i. Aluminum Siding
- ii. Corrugated Metal Siding
- iii. EFIS or Stucco
- iv. Exposed concrete block, unless finished with brick or stone
- v. Vinyl Siding, vinyl soffits, or other vinyl materials are strictly prohibited from use on any structure within the PD.

d. **Colors:**

Up to three colors, including material colors, but excluding trim color may be used on structures. A minimum of two colors including trim color must be used. Overly bright colors as determined by the ACC shall be prohibited.

e. **Trim:**

When siding around windows, trim shall be a minimum of six (6) inches with sill and crosshead top plate. For brick, a soldier course or stone element shall be required for a lintel and a rowlock course or stone element shall be required as a sill.

f. **Shutters:**

If provided, shutters shall be proportioned to one-half of the window from each side.

g. **Foundation Cladding:**

Foundation cladding shall consist of brick, natural stone, cultured stone or other high-quality material as deemed appropriate by the ACC.

**h. Porch Pier Cladding:**

Porch pier cladding shall consist of brick, natural stone, cultured stone, or other high-quality material as deemed appropriate by the ACC, between each pier.

**i. Chimney Cladding:**

Chimney cladding shall consist of brick, natural stone, cultured stone, or other high-quality material as deemed appropriate by the ACC material, to match the primary material of the façade.

**j. Roof Pitch and Overhang:**

Roof pitch shall be between 5:12 to 12:12 excluding small roof areas over entryways or porches. Flat roofs may be permitted if the ACC deems the roof provides architectural significance to the structure. Roof eave/overhang must project no less than 16 inches from the face of the structure.

**k. Roof Materials:**

Roofs shall be constructed of high-quality materials such as natural or synthetic clay tiles, slate, concrete tiles (with natural texture and color), standing seam metal roofing, and three dimensional or architectural rated asphalt/fiberglass shingles.

**l. Mechanical Equipment:**

All mechanical equipment shall be screened from the public view by buildings, ornamental fences/walls, architectural screens, parapet walls, or landscaping complementary to the materials of the Primary Structure. Mechanical equipment shall include the following: HVAC systems; pedestals for telephone, electric, or data service; television antenna (whether ground, side, or roof mounted); satellite dishes or antenna (whether ground, side, or roof mounted)

**4. Accessory Structure Architectural Standards:**

The design of an Accessory Structure should be consistent and complementary to its Primary Structure. The following standards apply to the design of Accessory Structures:

**a. Materials:**

Accessory Structures must be constructed of similar or complementary materials to the Primary Structure and must incorporate one (1) material from the Primary Structure at a minimum. Accessory Structure materials may consist of the following: brick, natural stone, cultured stone, smooth wood siding, smooth fiber cement siding. The Primary Structure design elements shall be carried over to the Accessory Structure.

**b. Prohibited materials:**

The following materials are prohibited from use on any building:

- i. Aluminum Siding
- ii. Corrugated Metal Siding
- iii. EFIS or Stucco
- iv. Exposed concrete block, unless finished with brick or stone.
- v. Vinyl Siding, vinyl soffits, or other vinyl materials are strictly prohibited from use on any structure within the PD.

**c. Colors:**

Colors for Accessory Structures should be consistent and complementary to the colors of the Primary Structure. Up to three colors, including material colors, but excluding trim color may be used on structures. A minimum of two colors including trim color must be used. Overly bright colors as determined by the Architectural Control Committee shall be prohibited.

**d. Trim:**

When siding around windows, trim shall be a minimum of 6" with sill and crosshead top plate. For brick, a soldier course or stone element shall be required for a lintel and a rowlock course or stone element shall be required as a sill.

**e. Shutters:**

If provided, shutters shall be proportioned to one-half of the window from each side.

**f. Foundation Cladding:**

Foundation cladding shall consist of brick, natural stone, cultured stone or other high-quality material as deemed appropriate by the ACC.

**g. Porch Pier Cladding:**

Porch pier cladding shall consist of brick, natural stone, cultured stone, or other high-quality material as deemed appropriate by the ACC, between each pier.

**h. Chimney Cladding:**

Chimney cladding shall consist of brick, natural stone, cultured stone, or other high-quality material as deemed appropriate by the ACC material, to match the primary material of the façade.

**i. Roof Pitch and Overhang:**

Roof pitch shall be between 5:12 to 12:12 excluding small roof areas over entryways or porches. Flat roofs may be permitted if the ACC deems the roof provides architectural significance to the structure. Roof eave/overhang must project no less than 12 inches from the face of the structure.

**j. Roof Materials:**

Roofs shall be constructed of high-quality materials such as natural or synthetic clay tiles, slate, concrete tiles (with natural texture and color), standing seam metal roofing, and three dimensional or architectural rated asphalt/fiberglass shingles.

**k. Mechanical Equipment:**

All mechanical equipment shall be screened from view by buildings, ornamental fences/walls, architectural screens, parapet walls, or landscaping complementary to the materials of the Primary Structure. Mechanical equipment shall include the following: HVAC systems; pedestals for telephone, electric, or data service; television antenna (whether ground, side, or roof mounted); satellite dishes or antenna (whether ground, side, or roof mounted)

**l. Garages, Drives and Approaches, Parking Areas:**

A minimum two (2) car garage shall be provided for all Primary Structures.

The following standards shall apply to all Garages, Drives and Approaches, and Parking Areas within HMPD Single Family Residential:

**i. Alley Loading Garages:** Alley-loading garages are required on the following lots:  
L1, L2, L3, L4, L5, L6, L7, L8

No front-loading garages shall be permitted on these lots. No drive cuts shall be permitted on Washington Street or Franklin Street for these lots.

**ii. Side-Loading and Front-Loading Garages:**

Side-Loading or Front-Loading Garages shall be permitted on the following lots:  
L9, L10, L11, L12, L13



Drive cuts shall be permitted on these lots in accordance with the driveway standards established by the UDO.

Front-Loading Garages may not be constructed in plane with the Primary Façade. Front Loading garages must be a minimum 20 feet behind the Primary Façade and main entrance and not compose more than 40% of the length of the Primary Structure.

**iii. Interior Dimensions:**

Interior dimensions of garages shall be a minimum 10 feet by 20 feet per vehicle parking space.

**iv. Garage Doors:**

The maximum width of a single car garage door shall be 9 feet. Two car garage door widths shall be 16 to 18 feet. The minimum separation between garage doors shall be two feet. Door design should match the style of the Accessory Structure and should include a glass element.

**v. Detached Garages:**

Detached garages shall be encouraged; however, attached garages shall not be prohibited. If connected, garages connected to a dwelling structure by a breezeway shall be encouraged.

**vi. Drives and Approaches:**

Drives and approaches shall be constructed to the standards required by the UDO. Acceptable materials within the PD include concrete, asphalt pavement, and other similar materials approved by the ACC and the City Engineer.

**vii. Parking Pads:**

Parking pads, if any, shall be a minimum 10 feet by 20 feet per vehicle parking space. Gravel parking pads shall not be allowed. Allowable materials shall include concrete, asphalt pavement, and other similar materials approved by the ACC and City Engineer. Parking pads should be screened from public view by buildings, ornamental fences/walls, architectural screens, parapet walls, or landscaping complementary to the materials of the Primary Structure.

**viii. Carports:**

All carports shall be prohibited within the PD.

**5. Minor Accessory Structure Architectural Standards:**

Minor Accessory Structures should be consistent and complementary to the Primary Structure in appearance. Minor Accessory Structures must comply with the material and color requirements for Primary Structures. Minor Accessory Structures may be reviewed and approved or disapproved with comments by the Plan Commission Staff with a submitted sketch site plan showing location and size and a sketch elevation indicating materials and colors to scale and with dimensions.

**6. Play Equipment Standards:**

All outdoor Play Equipment with a footprint of more than 100-SF or taller than ten (10) feet must be reviewed and approved by the ACC. Drawings and plans for proposed Play Equipment must be submitted to and approved prior to its installation. Play Equipment should be constructed of materials and contain colors that are harmonious with the primary structure. In no instance shall Play Equipment exceed fifteen (15) feet in height,

**6.7. Fences and Wall Standards:**

Fences and Hardscape Borders should be constructed of high-quality, long-lasting materials and must meet the following requirements:

**a. Materials:**

Fences may be constructed of the following materials:

- i. Wrought Iron
- ii. Black metal
- iii. Treated wood stained a color complementary to the Primary Structure
- iv. Stone
- v. Brick or textured masonry may be used upon approval by the ACC

**b. Prohibited Materials:**

The following fence materials are prohibited:

- i. Chain link
- ii. Vinyl fencing
- iii. Chicken wire
- iv. Composite materials

**B. Area 2: HMPD – Townhome Development**

**1. Compatibility:**

All Primary Structures within the PD should be compatible in design, materials, and architecture to existing structures within the City of Shelbyville's West Side Historic District.

Care should be given by the Architectural Control Committee to approve designs that are congruent with the design and quality of the architecturally contributing structures within the district, but also balance modern construction methods and modern architectural design.

## **2. Professional Design Requirement:**

All Townhome Structures shall be designed and certified by an architect licensed by the State of Indiana.

## **3. Primary Structure Architectural Standards:**

### **a. Primary Façade:**

The Primary Façade shall be defined as the front of the structure that includes the main entrance to all dwelling units. The Primary Façade must face a public street.

Requirements for the Primary Façade consist of the following:

#### **i. Main Entrances:**

A highly visible building entrances to dwelling units shall be oriented to face the adjacent major street. If not zero (0) lot line, the entry shall include a minimum 5' concrete or paver walkway from the public sidewalk to the dwelling entry. The entry shall be covered and include a stoop, porch, or balcony over the entrance.

#### **ii. Materials:**

Primary Structure building materials may consist of the following materials: brick, natural stone, cultured stone, smooth wood siding, smooth fiber cement siding.

#### **iii. Accent Materials:**

Accent materials may consist of natural stone, cultured stone, or architectural metal such as stainless steel, copper, brushed nickel, brass, or similar. Accent materials, if used, may compose up to 25% of the façade.

#### **iv. Dwelling Unit Façade Variety:**

Building details, materials, windows, doors and trim for each dwelling unit should reflect a complementary architectural style to each other unit and the

neighborhood, but the front façade of each dwelling unit should vary in some of the following ways:

1. Varied architectural elements
2. Varied entry features
3. Façade projections or recesses
4. Varied, but complementary materials
5. Varied, but complementary colors

v. **Glazing:**

Glazing must compose a minimum 20% of the surface area of a Primary Façade.

b. **Secondary Façade:**

The Secondary Façade shall be defined as the sides and rear of the structure and should match the Primary Façade in material composition, colors, and general fenestration.

Requirements for Secondary Facades consist of the following:

i. **Materials:**

Secondary Façade building materials must compliment the Primary Façade and may consist of the following: brick, natural stone, cultured stone, smooth wood siding, smooth fiber cement siding.

ii. **Accent Materials:**

Accent materials must compliment the Primary Façade and may consist of natural stone, cultured stone, or architectural metal such as stainless steel, copper, brushed nickel, brass, or similar. Accent materials may compose up to 25% of the façade.

iii. **Glazing:**

Glazing must compose a Minimum 15% of the surface area of a Secondary Façade that faces a Public Street or Alley. In all other instances glazing must compose a minimum 10% of the total façade surface area.

c. **Prohibited materials:**

The following materials are prohibited from use on any building within the PD:

- i. Aluminum Siding
- ii. Corrugated Metal Siding
- iii. EFIS

- iv. Exposed concrete block, unless finished with brick or stone
- v. Vinyl Siding, vinyl soffits, or other vinyl materials are strictly prohibited from use on any structure within the PD.

**d. Colors:**

Up to three colors, including material colors, but excluding trim color may be used on structures. A minimum of two colors including trim color must be used. Overly bright colors as determined by the Architectural Control Committee shall be prohibited.

**e. Trim:**

When siding around windows, trim shall be a minimum of 6" with sill and crosshead top plate. For brick, a soldier course or stone element shall be required for a lintel and a rowlock course or stone element shall be required as a sill.

**f. Shutters:**

If provided, shutters shall be proportioned to one-half of the window from each side.

**g. Foundation Cladding:**

Foundation cladding shall consist of brick, natural stone, cultured stone or other high-quality material as deemed appropriate by the ACC.

**h. Porch Pier Cladding:**

Porch pier cladding shall consist of brick, natural stone, cultured stone, or other high-quality material as deemed appropriate by the ACC, between each pier.

**i. Chimney Cladding:**

Chimney cladding shall consist of brick, natural stone, cultured stone, or other high-quality material as deemed appropriate by the ACC material, to match the primary material of the façade.

**j. Roof Pitch and Overhang:**

Roof pitch shall be between 5:12 to 12:12 excluding small roof areas over entryways or porches. Flat roofs may be permitted if the ACC deems the roof provides architectural

significance to the structure. Roof eave/overhang must project no less than 18 inches from the face of the structure.

**k. Roof Materials:**

Roofs shall be constructed of high-quality materials such as natural or synthetic clay tiles, slate, concrete tiles (with natural texture and color) standing seam metal roofing, and three dimensional or architectural rated asphalt/fiberglass shingles.

**l. Mechanical Equipment:**

All mechanical equipment shall be screened from view by buildings, ornamental fences/walls, architectural screens, parapet walls, or landscaping complementary to the materials of the Primary Structure. Mechanical equipment shall include the following: HVAC systems; pedestals for telephone, electric, or data service; television antenna (whether ground, side, or roof mounted); satellite dishes or antenna (whether ground, side, or roof mounted)

**m. Garages:**

Garages should be accessed from the rear of the Primary Structure and should be integral to its the construction. A two (2) car garage shall be provided for each dwelling unit.

**i. Interior Dimensions:**

Interior dimensions shall be a minimum 10 feet by 20 feet per vehicle parking space.

**ii. Garage Doors:**

The maximum width of a single car garage door shall be 9 feet. Two car garage door widths shall be 16 to 18 feet. The minimum separation between garage doors shall be two feet. Door design should match the style of the dwelling unit facade and should include a glass element.

**7.8. Accessory Structure Architectural Standards:**

The design of an Accessory Structure should be consistent and complementary to its Primary Structure. Accessory Structures shall also be subject to the standards set forth in the UDO with respect to Multiple-Family Residential (RM). The following standards apply to the design of Accessory Structures:

**a. Materials:**

Accessory Structures must be constructed of similar or complementary materials to the Primary Structure and must incorporate one (1) material from the Primary Structure at a minimum. The Primary Structure design elements shall be carried over to the Accessory Structure.

In allowing unlisted materials, the ACC should exercise an abundance of caution to allow only materials with significant longevity that are consistent with the quality and character of the PD.

**b. Prohibited materials:**

The following materials are prohibited from use on any building within the PD:

- i. Aluminum Siding
- ii. Corrugated Metal Siding
- iii. EFIS
- iv. Exposed concrete block, unless finished with brick or stone.
- v. Vinyl Siding, vinyl soffits, or other vinyl materials are strictly prohibited from use on any structure within the PD.

**c. Colors:**

Colors for Accessory Structures should be consistent and complementary to the colors of the Primary Structure. Up to three colors, including material colors, but excluding trim color may be used on structures. A minimum of two colors including trim color must be used. Overly bright colors as determined by the Architectural Control Committee shall be prohibited.

**d. Trim:**

When siding around windows, trim shall be a minimum of 6" with sill and crosshead top plate. For brick, a soldier course or stone element shall be required for a lintel and a rowlock course or stone element shall be required as a sill.

**e. Shutters:**

If provided, shutters shall be proportioned to one-half of the window from each side.

**f. Foundation Cladding:**

Foundation cladding shall consist of brick, natural stone, cultured stone or other high-quality material as deemed appropriate by the ACC.

**g. Porch Pier Cladding:**

Porch pier cladding shall consist of brick, natural stone, cultured stone, or other high-quality material as deemed appropriate by the ACC, between each pier.

**h. Chimney Cladding:**

Chimney cladding shall consist of brick, natural stone, cultured stone, or other high-quality material as deemed appropriate by the ACC material, to match the primary material of the façade.

**i. Roof Pitch and Overhang:**

Roof pitch shall be between 5:12 to 12:12 excluding small roof areas over entryways or porches. Flat roofs may be permitted if the ACC deems the roof provides architectural significance to the structure. Roof eave/overhang must project no less than 12 inches from the face of the structure.



## **Exhibit A: Hamilton-Major Planned Development District Legal Description**

COMMENCING AT THE SOUTHEAST CORNER OF LOT 7 IN THE ORIGINAL PLAT OF SHELBYVILLE, AS RECORDED IN PLAT CABINET A, SLIDE 330 IN SAID RECORDER'S OFFICE; THENCE SOUTH 89 DEGREES 58 MINUTES 01 SECOND WEST ALONG THE SOUTH LINE OF SAID LOT 7 A DISTANCE OF 381.50 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 58 MINUTES 01 SECOND WEST A DISTANCE OF 279.10 FEET; THENCE NORTH 00 DEGREES 56 MINUTES 11 SECONDS WEST A DISTANCE OF 528.23 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 06 SECONDS EAST A DISTANCE OF 49.40 FEET; THENCE SOUTH 00 DEGREES 56 MINUTES 40 SECONDS EAST A DISTANCE OF 146.27 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST A DISTANCE OF 232.47 FEET; THENCE NORTH 00 DEGREES 01 MINUTE 11 SECONDS WEST A DISTANCE OF 10.25 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST A DISTANCE OF 90.00 FEET; THENCE NORTH 00 DEGREES 01 MINUTE 10 SECONDS WEST A DISTANCE OF 135.52 FEET TO THE NORTH LINE OF SAID SYLVAN B. MORRIS ADDITION; THENCE NORTH 89 DEGREES 55 MINUTES 06 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 40.00 FEET; THENCE SOUTH 00 DEGREES 01 MINUTE 10 SECONDS EAST A DISTANCE OF 255.21 FEET TO THE SOUTH LINE OF SAID SYLVAN B. MORRIS ADDITION; THENCE SOUTH 89 DEGREES 51 MINUTES 09 SECONDS WEST A DISTANCE OF 70.70 FEET ALONG SAID SOUTH LINE TO THE EAST BOUNDARY OF FRANKLIN STREET VACATED PER BOOK 58 PAGE 442, AS RECORDED IN SAID RECORDER'S OFFICE; THENCE SOUTH 00 DEGREES 01 MINUTE 11 SECONDS EAST ALONG SAID EAST BOUNDARY A DISTANCE OF 49.50 FEET TO THE SOUTH BOUNDARY OF SAID FRANKLIN STREET VACTED; THENCE SOUTH 89 DEGREES 51 MINUTES 09 SECONDS WEST ALONG SAID SOUTH BOUNDARY A DISTANCE OF 56.02 FEET TO THE WEST LINE OF S. LAUGHLIN ADDITION, AS RECORDED IN PLAT CABINET 1, SLIDE 614 IN SAID RECORDER'S OFFICE; THENCE SOUTH 00 DEGREES 01 MINUTE 48 SECONDS EAST ALONG SAID WEST LINE A DISTANCE OF 223.55 FEET TO THE PLACE OF BEGINNING.

CONTAINING 3.178 ACRES, MORE OR LESS.

ALSO

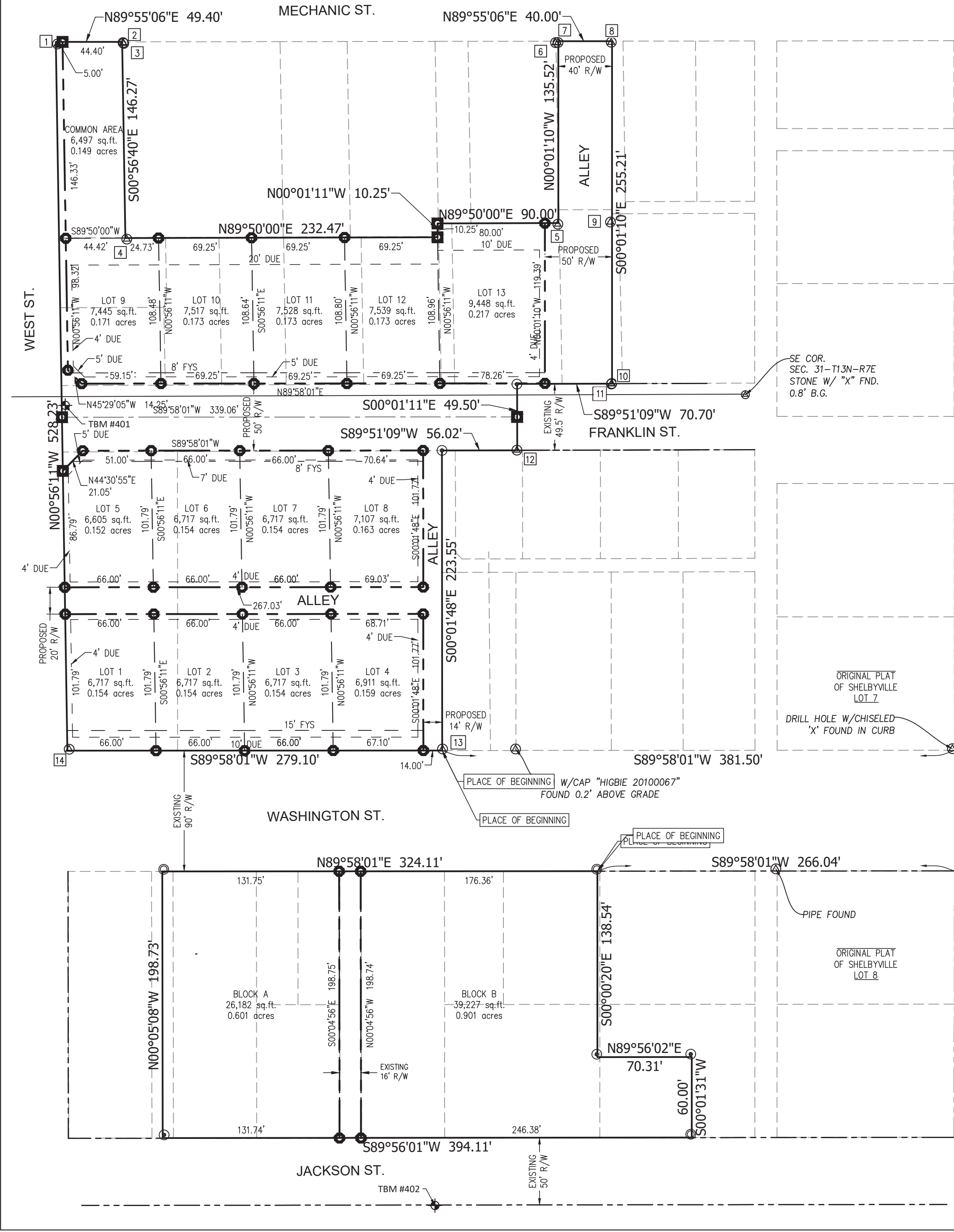
PART OF THE MILLER & McFARLAND ADDITION AS RECORDED IN PLAT CABINET 1, SLIDE 64 IN THE SHELBY COUNTY RECORDER'S OFFICE AND PART OF WESTERN ADDITION, AS RECORDED IN PLAT CABINET A, SLIDE 336 IN SAID RECORDER'S OFFICE, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 8 BEING AT THE SOUTHWEST CORNER OF WASHINGTON STREET AND TOMPKINS STREET, IN THE ORIGINAL PLAT OF SHELBYVILLE AS RECORDED IN SAID RECORDER'S OFFICE; THENCE SOUTH 89 DEGREES 58 MINUTES 01 SECOND WEST ALONG THE NORTH LINE OF SAID LOT 8 A DISTANCE OF 266.04 FEET TO THE PLACE OF BEGINNING, BEING ON THE NORTH LINE OF SAID WESTERN ADDITION; THENCE SOUTH 00 DEGREES 00 MINUTES 20 SECONDS EAST A DISTANCE OF 138.54 FEET; THENCE NORTH 89 DEGREES 56 MINUTES 02 SECONDS EAST A DISTANCE OF 70.31 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 31 SECONDS WEST A DISTANCE OF 60.00 FEET TO THE SOUTH LINE OF SAID WESTERN ADDITION; THENCE SOUTH 89 DEGREES 56 MINUTES 01 SECOND WEST ALONG SAID SOUTH LINE AND THE SOUTH LINE OF SAID MILLER & McFARLAND ADDITION A DISTANCE OF 394.11 FEET; THENCE NORTH 00 DEGREES 05 MINUTES 08 SECONDS WEST A DISTANCE OF 198.73 FEET TO THE NORTH LINE OF SAID MILLER & McFARLAND ADDITION; THENCE NORTH 89 DEGREES 58 MINUTES 01 SECOND EAST ALONG SAID NORTH LINE A DISTANCE OF 324.11 FEET TO THE PLACE OF BEGINNING.

CONTAINING 1.574 ACRES, MORE OR LESS.



# HAMILTON-MAJOR SUBDIVISION SECONDARY PLAT



TOMPKINS ST.

MONUMENTS FOUND	
1	PIN W/ CAP "HIGBIE 20100067" FLUSH S42°07'07"W 0.14'
2	5/8"Ø REBAR 0.1' A.G. N33°36'27"W 0.97'
3	PIN W/ CAP "HIGBIE 20100067" FLUSH N01°04'34"E 0.20'
4	PIN W/ CAP "HIGBIE 20100067" 0.2' A.G. S72°13'12"W 0.08'
5	MAG NAIL W/ WASHER "HIGBIE 20100067" FLUSH S01°05'58"E 0.03'
6	5/8"Ø REBAR FLUSH N79°06'11"W 1.64'
7	PIN W/ CAP "HIGBIE 20100067" FLUSH N20°03'12"E 0.41'
8	MAG NAIL W/ WASHER "HIGBIE 20100067" FLUSH N07°00'11"E 0.55'
9	1"Ø PIN 0.5' B.G. 0.60' WEST OF LINE
10	1"Ø PIN FLUSH N49°50'55"E 0.49'
11	MAG NAIL W/ WASHER "HIGBIE 20100067" FLUSH S00°09'44"E 0.04'
12	MAG NAIL W/ WASHER "HIGBIE 20100067" FLUSH N11°53'27"E 0.03'
13	PIN W/ CAP "HIGBIE 20100067" 0.1' B.G. N80°49'05"E 0.23'
14	PIN W/ CAP "HIGBIE 20100067" FLUSH N51°47'42"W 0.03'

**OWNER**  
CITY OF SHELBYVILLE  
44 W WASHINGTON ST.  
SHELBYVILLE, IN 46176  
PHONE: (317) 398-6624  
CONTACT: JENNIFER MELTZER  
EMAIL: jmeltzer@cityofshelbyvillein.com

**DEVELOPER**  
GENESIS PROPERTY DEVELOPMENT  
524 N HARRISON ST.  
SHELBYVILLE, IN 46176  
PHONE: (317) 604-3868  
CONTACT: TOM DAVIS  
EMAIL: tdavis@genesispd.net

**SURVEYOR**  
CROSSROAD ENGINEERS, P.C.  
3417 SHERRMAN DRIVE  
BEECH GROVE, IN 46107  
PHONE: (317) 780-1555  
CONTACT: G.W. CHARLES  
EMAIL: gwcharles@crossroadengineers.com

THIS PLAT WAS PREPARED FROM INFORMATION OBTAINED FROM AN ALTA/NSPS LAND TITLE SURVEY PERFORMED BY G.W. CHARLES, REGISTERED LAND SURVEYOR NO. 228800117, WITH CROSSROAD ENGINEERS, P.C. DATED AUGUST 29, 2019. THE PROPERTY WITHIN SAID SURVEY, AND SHOWN HEREON, IS SUBJECT TO ANY OVERLAPS, GAPS, OR OTHER INCONSISTENCIES THAT SAID ALTA/NSPS MIGHT REVEAL.

A PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 12 NORTH, RANGE 7 EAST AND PART OF THE SOUTH EAST QUARTER OF SECTION 31, TOWNSHIP 13 NORTH, RANGE 7 EAST, ALL IN ADDITION TOWNSHIP, SHELBY COUNTY, INDIANA

PROPOSED LEGEND	
	PROPERTY LINE
	SECTION LINE
	ADJOINER LINES
	LOT LINES
	EXISTING RIGHT-OF-WAY
	PROPOSED RIGHT-OF-WAY
	FYS SET BACK LINE
	EASEMENT LINE
	DRAINAGE & UTILITY EASEMENT
	FRONT YARD SETBACK
	TBM
	MONUMENT FOUND (TYPE AS SHOWN; DISTANCE FROM CORNER TO MONUMENT)
	PIPE W/CAP "GWCHARLES LS0800117" PER ALTA/NSPS LAND TITLE SURVEY
	MAG NAIL W/WASHER "GWCHARLES LS0800117" PER ALTA/NSPS LAND TITLE SURVEY
	INTERIOR MONUMENTS 3/4" X 5/8" REBAR W/CAP "GWCHARLES LS0800117" SET FLUSH
	EXTERIOR AND CENTERLINE MONUMENTS 3/4" X 5/8" REBAR W/CAP "GWCHARLES LS0800117" IN 4' X 30' CONCRETE MONUMENT SET FLUSH (CENTERLINE MONUMENTS TO BE SET BY CONTRACTOR)

**FLOODPLAIN INFORMATION**  
BY GRAPHIC PLOTTING ONLY, THIS TRACT OF LAND DESCRIBED HEREON LIES WITHIN ZONE "X" (AREAS OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AND IS NOT IN A SPECIAL FLOOD HAZARD AREA AS PLOTTED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP FOR SHELBY COUNTY, INDIANA, COMMUNITY PANEL NO. 18145CD0119C AND 18145CD0118C, WHICH BEARS AN EFFECTIVE DATE OF NOVEMBER 5, 2014.

**BENCHMARK INFORMATION**  
ORIGINATING BENCHMARK  
DESIGNATION - N 269  
PID - J22329  
STATE/COUNTY - IN/SHELBY  
USGC QUAD - RAYS CROSSING (1993)  
VERT ORDER - FIRST CLASS II  
DESCRIBED BY COAST AND GEODETIC SURVEY 1947  
2 MI SE FROM SHELBYVILLE, ABOUT 2.05 MILES SOUTHEAST ALONG THE NEW YORK CENTRAL RAILROAD FROM THE STATION AT SHELBYVILLE, SET IN THE TOP OF THE SOUTHEAST END OF THE NORTHEAST HEAD WALL OF CONCRETE ARCH RAILROAD OVER PASS NO. 398A OVER AN EAST-WEST GRAVEL ROAD, ABOUT 30 YARDS NORTHWEST OF LIGHT SIGNAL NO. 802, 6 FEET NORTHEAST OF THE NORTHEAST RAIL AND ABOUT 0.4 FOOT BELOW THE RACK.  
STATION RECOVERY (1986)  
RECOVERY NOTE BY NATIONAL GEODETIC SURVEY 1986  
RECOVERED IN GOOD CONDITION. A NEW TO REACH FOLLOWS, 3.2 KM (2.0 MI) WESTERLY ALONG STATE HIGHWAY 144 FROM ITS JUNCTION WITH INTERSTATE HIGHWAY 74 IN SHELBYVILLE, THENCE 2.9 KM (1.8 MI) SOUTHEASTERLY ALONG THE CONRAIL RAILROAD.  
ELEVATION = 798.17 (NAVD 88)  
TBM #401  
CUT SQUARE ON SW CORNER OF CONCRETE PAD FOR P.I.V. AND SQUARE METAL LID THAT APPEARS TO SERVE AS A DUAL METER PIT, LOCATED ±10' NORTHEAST OF "W. FRANKLIN ST." AND ±25' EAST OF "N. WEST ST."  
ELEV. = 785.69  
TBM #402  
TOP NORTHEAST CORNER OF 1ST STEP UP FROM BACK OF WALK FOR 147 W. JACKSON ST.  
ELEV. = 781.81

## HAMILTON-MAJOR SUBDIVISION SECONDARY PLAT

PROJECT NO.	DRAWN	KLF	CHECKED	CJJ
DATE	OCTOBER 8, 2019	DESIGNED	DMS	APPROVED
			GWC	



Transportation & Development Consultants  
301 N. Main St., Suite 200, Indianapolis, IN 46204  
SHEET 1 OF 2

# HAMILTON-MAJOR SUBDIVISION SECONDARY PLAT

## SURVEY DESCRIPTION

THIS DESCRIPTION WAS PREPARED BY GEORGE W. CHARLES II, LS2880117, FOR PLATTING PURPOSES. PART OF THE SYLVAN B. MORRIS ADDITION, AS RECORDED IN PLAT CABINET A, SLIDE 300 IN THE SHELBY COUNTY RECORDER'S OFFICE AND PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 12 NORTH, RANGE 7 EAST, AND PART OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 13 NORTH, RANGE 7 EAST, ALL IN ADDITION TOWNSHIP, SHELBY COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 7 IN THE ORIGINAL PLAT OF SHELBYVILLE, AS RECORDED IN PLAT CABINET A, SLIDE 330 IN SAID RECORDER'S OFFICE; THENCE SOUTH 89 DEGREES 58 MINUTES 01 SECOND WEST ALONG THE SOUTH LINE OF SAID LOT 7 A DISTANCE OF 381.50 FEET TO THE PLACE OF BEGINNING; THENCE CONTINUING SOUTH 89 DEGREES 58 MINUTES 01 SECOND WEST A DISTANCE OF 278.10 FEET; THENCE NORTH 00 DEGREES 56 MINUTES 11 SECONDS WEST A DISTANCE OF 528.23 FEET; THENCE NORTH 89 DEGREES 55 MINUTES 06 SECONDS EAST A DISTANCE OF 49.40 FEET; THENCE SOUTH 00 DEGREES 56 MINUTES 40 SECONDS EAST A DISTANCE OF 146.27 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST A DISTANCE OF 232.47 FEET; THENCE NORTH 00 DEGREES 01 MINUTE 11 SECONDS WEST A DISTANCE OF 10.25 FEET; THENCE NORTH 89 DEGREES 50 MINUTES 00 SECONDS EAST A DISTANCE OF 90.00 FEET; THENCE NORTH 00 DEGREES 01 MINUTE 11 SECONDS WEST A DISTANCE OF 15.52 FEET TO THE NORTH LINE OF SAID SYLVAN B. MORRIS ADDITION; THENCE NORTH 89 DEGREES 55 MINUTES 06 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 40.00 FEET; THENCE SOUTH 00 DEGREES 01 MINUTE 10 SECONDS EAST A DISTANCE OF 255.21 FEET TO THE SOUTH LINE OF SAID SYLVAN B. MORRIS ADDITION; THENCE SOUTH 89 DEGREES 51 MINUTES 09 SECONDS WEST A DISTANCE OF 70.70 FEET ALONG SAID SOUTH LINE TO THE EAST BOUNDARY OF FRANKLIN STREET VACATED PER BOOK 58 PAGE 442, AS RECORDED IN SAID RECORDER'S OFFICE; THENCE SOUTH 00 DEGREES 01 MINUTE 11 SECONDS EAST ALONG SAID EAST BOUNDARY A DISTANCE OF 49.50 FEET TO THE SOUTH BOUNDARY OF SAID FRANKLIN STREET VACATED; THENCE SOUTH 89 DEGREES 51 MINUTES 09 SECONDS WEST ALONG SAID SOUTH BOUNDARY A DISTANCE OF 56.02 FEET TO THE WEST LINE OF S. LAUGHLIN ADDITION, AS RECORDED IN PLAT CABINET 1, SLIDE 614 IN SAID RECORDER'S OFFICE; THENCE SOUTH 00 DEGREES 01 MINUTE 48 SECONDS EAST ALONG SAID WEST LINE A DISTANCE OF 223.55 FEET TO THE PLACE OF BEGINNING.

CONTAINING 3.178 ACRES, MORE OR LESS.

ALSO

PART OF THE MILLER & McFARLAND ADDITION AS RECORDED IN PLAT CABINET 1, SLIDE 64 IN THE SHELBY COUNTY RECORDER'S OFFICE AND PART OF THE WESTERN ADDITION, AS RECORDED IN PLAT CABINET A, SLIDE 336 IN SAID RECORDER'S OFFICE, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 8 BEING AT THE SOUTHWEST CORNER OF WASHINGTON STREET AND TOMPKINS STREET, IN THE ORIGINAL PLAT OF SHELBYVILLE AS RECORDED IN SAID RECORDER'S OFFICE; THENCE SOUTH 89 DEGREES 58 MINUTES 01 SECOND WEST ALONG THE NORTH LINE OF SAID LOT 8 A DISTANCE OF 266.04 FEET TO THE PLACE OF BEGINNING, BEING ON THE NORTH LINE OF SAID WESTERN ADDITION; THENCE SOUTH 00 DEGREES 00 MINUTES 20 SECONDS EAST A DISTANCE OF 138.54 FEET; THENCE NORTH 89 DEGREES 58 MINUTES 02 SECONDS EAST A DISTANCE OF 70.31 FEET; THENCE SOUTH 00 DEGREES 01 MINUTES 51 SECONDS WEST A DISTANCE OF 60.00 FEET TO THE SOUTH LINE OF SAID WESTERN ADDITION; THENCE SOUTH 89 DEGREES 56 MINUTES 01 SECOND WEST ALONG SAID SOUTH LINE AND THE SOUTH LINE OF SAID MILLER & McFARLAND ADDITION A DISTANCE OF 394.11 FEET; THENCE NORTH 00 DEGREES 05 MINUTES 08 SECONDS WEST A DISTANCE OF 198.73 FEET TO THE NORTH LINE OF SAID MILLER & McFARLAND ADDITION; THENCE NORTH 89 DEGREES 58 MINUTES 01 SECOND EAST ALONG SAID NORTH LINE A DISTANCE OF 324.11 FEET TO THE PLACE OF BEGINNING.

CONTAINING 1.574 ACRES, MORE OR LESS.

## DEDICATION CERTIFICATE

THE UNDERSIGNED, CITY OF SHELBYVILLE, OWNER OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, HEREBY CERTIFYING THAT IT HAS LAD OFF, PLATTED AND SUBDIVIDED, AND DOES HEREBY LAY OFF, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT AND CERTIFICATE. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS HAMILTON-MAJOR SUBDIVISION, AN ADDITION TO THE CITY OF SHELBYVILLE, SHELBY COUNTY, INDIANA. IN ADDITION TO THE COVENANTS AND RESTRICTIONS HEREINAFTER SET FORTH AND CONTAINED IN THIS PLAT, THE REAL ESTATE DESCRIBED IN THIS PLAT IS ALSO SUBJECT TO CERTAIN ADDITIONAL COVENANTS AND RESTRICTIONS CONTAINED IN THAT CERTAIN "DECLARATION OF COVENANTS AND RESTRICTIONS OF THE HAMILTON-MAJOR SUBDIVISION "COMMUNITY," RECORDED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019, AS INSTRUMENT NO. \_\_\_\_\_ IN THE OFFICE OF THE RECORDER OF SHELBY COUNTY, INDIANA (THE "DECLARATION"), AND TO THE RIGHTS, POWERS, DUTIES AND OBLIGATIONS OF THE \_\_\_\_\_ HOMEOWNERS ASSOCIATION, INC. (THE "HOMEOWNERS ASSOCIATION") AND THE \_\_\_\_\_ ARCHITECTURAL CONTROL COMMITTEE (THE "COMMITTEE") AS SET FORTH IN THE DECLARATION. ANY CONFLICTING COVENANT OR RESTRICTION CONTAINED IN THIS PLAT SHALL TO THE EXTENT ONLY OF AN IRRECONCILABLE CONFLICT WITH ANY OF THE COVENANTS AND RESTRICTIONS CONTAINED IN THE DECLARATION, BE SUBORDINATE TO THE DECLARATION, IT BEING THE INTENT HEREOF THAT ALL SUCH COVENANTS AND RESTRICTIONS SHALL BE APPLICABLE TO SAID REAL ESTATE TO THE GREATEST EXTENT POSSIBLE. ALL OF THE TERMS, PROVISIONS, COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN THE DECLARATION ARE HEREBY INCORPORATED HEREIN BY REFERENCE. IN ORDER TO PROVIDE ADEQUATE PROTECTION TO ALL PRESENT AND FUTURE OWNERS OF LOTS IN THIS SUBDIVISION, THE FOLLOWING COVENANTS, RESTRICTIONS AND LIMITATIONS, IN ADDITION TO THOSE SET FORTH IN THE DECLARATION, ARE HEREBY IMPOSED UPON AND SHALL RUN WITH THE LAND INCLUDED IN THIS SUBDIVISION AND SHALL BE BINDING UPON THE DEVELOPER AND ANYONE AT ANYTIME OWNING ANY PART OR PORTION OF SUCH LAND.

- DEDICATION. THE STREETS AND SIDEWALKS, IF NOT HERETOFORE DEDICATED, ARE HEREBY DEDICATED TO PUBLIC USE.
- EASEMENTS. "DRAINAGE AND UTILITY EASEMENT". THE STRIPS OF GROUND OR AREAS INDICATED AS "DRAINAGE & UTILITY EASEMENT" (A.U.E.) ARE RESERVED FOR THE USE OF THE PUBLIC UTILITIES, SUBDIVISION HOMEOWNERS ASSOCIATION, AND THE CITY OF SHELBYVILLE BOARD OF PUBLIC WORKS AND SAFETY, SPECIFICALLY FOR SANITARY SEWERS, ITS SUCCESSORS AND ASSIGNS, TO INSTALL, INSPECT, REPAIR, REPLACE, AND MAINTAIN WATER AND SEWER MAINS, POLES, LINES, WIRING, AND DRAINAGE FACILITIES, SUBJECT AT ALL TIMES TO THE PROPER AUTHORITIES AND TO THE EASEMENT HEREIN RESERVED. NO PERMANENT OR OTHER STRUCTURES ARE TO BE ERRECTED OR MAINTAINED UPON SAID STRIPS OR AREAS OF LAND. OWNERS OF LOTS IN THIS SUBDIVISION SHALL TAKE TITLE TO THEIR LOTS SUBJECT TO SAID EASEMENT RIGHTS.
- COMMON AREAS. THERE ARE PORTIONS OF GROUND LABELED "COMMON AREA" WHICH, UPON FINAL CONSTRUCTION OR PROVISION THEREOF, SHALL BE CONVEYED BY THE DEVELOPER TO THE CITY OF SHELBYVILLE. THESE AREAS ARE RESERVED FOR THE USE OF THE CITY OF SHELBYVILLE FOR ANY USE DESIRED BY THE CITY, AS ESTABLISHED AND EMPOWERED TO DO SO BY "COVENANTS AND RESTRICTIONS" REFERENCED ABOVE. NO PERMANENT OR OTHER STRUCTURES, EXCEPT STRUCTURES APPROVED IN ACCORDANCE AND CONSISTENT WITH THE PROVISIONS OF THE ABOVE REFERENCED COVENANTS, ARE TO BE ERRECTED OR MAINTAINED WITHIN SAID AREAS. ALL COMMON AREAS, INCLUDING ADDITIONAL COMMON AREAS AT THE DEVELOPER'S OPTION, SHALL BE SUBJECT TO THE APPLICABLE COVENANTS AND RESTRICTIONS CONTAINED IN THE DECLARATION.
- DRAINAGE SWALES. DRAINAGE SWALES (DITCHES OR DRAINAGE DETENTION AREAS) ON DEDICATED EASEMENTS ARE NOT TO BE ALTERED, DUG OUT, FILLED IN, TILED, OR OTHERWISE CHANGED WITHOUT THE WRITTEN PERMISSION OF THE HOMEOWNERS ASSOCIATION AND THE TOWN OF BARGERSVILLE. PROPERTY OWNERS MUST MAINTAIN THESE SWALES AS SODDED GRASS ACROSS OR OTHER NON-PROOFING SURFACES. WATER FROM ROOFS OR PARKING AREAS MUST BE CONTAINED ON THE PROPERTY LONG ENOUGH SO THAT THE DRAINAGE SWALES OR DITCHES WILL NOT BE DAMAGED BY SUCH WATER. ANY PROPERTY OWNER ALTERING, CHANGING, OR DAMAGING THESE DRAINAGE SWALES OR DITCHES WILL BE HELD RESPONSIBLE FOR SUCH ACTION AND WILL BE GIVEN 10 DAYS NOTICE BY CERTIFIED MAIL TO REPAIR SAID DAMAGE AFTER WHICH TIME, IF NO ACTION IS TAKEN, THE HOMEOWNERS ASSOCIATION WILL CAUSE SAID REPAIRS TO BE ACCOMPLISHED AND THE STATEMENT FOR COSTS OF THE SAID REPAIRS WILL BE SENT TO THE AFFECTED PROPERTY OWNER FOR IMMEDIATE PAYMENT AND SUCH COSTS WILL CONSTITUTE A LIEN ON THE PROPERTY OWNERS LOT UNTIL PAID. UPON THE COMPLETION OF THE INITIAL CONSTRUCTION OF A RESIDENCE UPON ANY LOT WITHIN THIS DEVELOPMENT, THE BUILDING CONTRACTOR RESPONSIBLE FOR SUCH CONSTRUCTION SHALL BE REQUIRED TO PROVIDE AN AFFIDAVIT OF COMPLIANCE WITH THE REQUIREMENTS OF THIS PLAT, THE INDIANA DRAINAGE CODE OF 1985, AND THE APPLICABLE TOWN OF BARGERSVILLE ORDINANCES, WHICH AFFIDAVIT SHALL BE SUBMITTED TO THE COMMITTEE.
- SET-BACKS. BUILDING SET-BACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THIS PLAT, BETWEEN WHICH LINES AND THE PROPERTY LINES OF THE STREETS, NO BUILDING OR STRUCTURE (EXCEPT WALLS AND FENCES TO THE EXTENT PERMITTED HEREBY OR BY THE DECLARATION), SHALL BE ERRECTED OR MAINTAINED. NO BUILDING, STRUCTURES OR OTHER IMPROVEMENTS SHALL BE ERRECTED CLOSER TO ANY SIDE OR REAR LOT LINE OF ANY LOT THAN THE MINIMUM DISTANCE REQUIRED BY ORDINANCE, UNLESS PROPOSED OTHERWISE, PERMITTED HEREBY OR BY THE DECLARATION.
- PERPETUATION. ANY FIELD TILE OR UNDERGROUND DRAIN WHICH IS ENCOUNTERED IN CONSTRUCTION OF ANY IMPROVEMENTS WITHIN THIS SUBDIVISION SHALL BE PERPETUATED AND ALL OWNERS OF LOTS IN THIS SUBDIVISION AND THEIR SUCCESSORS SHALL COMPLY WITH THE INDIANA DRAINAGE CODE OF 1985, AND ALL AMENDMENTS THEREOF.
- OBSTRUCTIONS. NO FENCE, WALL, HEDGE, TREE, SHRUB, PLANTING OR OTHER SIMILAR ITEM WHICH OBSTRUCTS SIGHT LINES AT ELEVATION BETWEEN TWO AND ONE-HALF (2½) AND NINE (9) FEET ABOVE THE CROWN OF A STREET SHALL BE PERMITTED TO REMAIN ON ANY CORNER LOT WITHIN THE TRIANGULAR AREA FORMED BY THE STREET RIGHT-OF-WAY LINES AND A LINE CONNECTING POINTS TWENTY-FIVE (25) FEET FROM THE INTERSECTION OF THE STREET RIGHT-OF-WAY LINES, OR IN THE CASE OF A ROUNDED PROPERTY CORNER, FROM THE INTERSECTION OF THE STREET RIGHT-OF-WAY LINES EXTENDED.

THE SAME SIGHT LINE LIMITATIONS SHALL APPLY TO ANY LOT WITHIN TEN (10) FEET FROM THE INTERSECTION OF A STREET RIGHT-OF-WAY LINE WITH THE EDGE OF A DRIVEWAY PAVEMENT OR ALLEY LINE. FOR CORNER LOTS, NO DRIVEWAY SHALL BE LOCATED WITHIN SEVENTY (70) FEET OF THE INTERSECTION OF TWO (2) STREET CENTERLINES.

8. SIDEWALKS. SIDEWALKS SHALL BE CONSTRUCTED AS REQUIRED BY THE CONSTRUCTION PLANS APPROVED BY THE CITY OF SHELBYVILLE PLAN COMMISSION, WHICH CONSTRUCTION SHALL BE THE RESPONSIBILITY OF THE LOT OWNER UPON WHOM THE LOT SIDEWALK IS TO BE BUILT. HOWEVER, THAT ANY COMMON AREA SIDEWALKS SHALL BE CONSTRUCTED BY THE DEVELOPER AS DESIGNATED ON THE FINAL CONSTRUCTION PLANS. ALL SIDEWALKS SHALL BE COMPLETED AT THE SAME TIME AS THE DRIVEWAY IS CONSTRUCTED ON THE LOT BY THE LOT OWNER. ALL SIDEWALKS SHALL BE POURED CONCRETE, WITH EXPANSION JOINTS, SUCH CONSTRUCTION TO BE PERPETUAL AND CONTINUOUS ALONG THE STREET FRONTAGES AND ACROSS THE DRIVEWAY OF EACH LOT.

9. NON-LIABILITY OF DEVELOPER AND COMMITTEE. NOTWITHSTANDING ANY REVIEW OR APPROVAL OF PLANS AND SPECIFICATIONS SUBMITTED BY A LOT OWNER, THE DEVELOPER AND COMMITTEE SHALL HAVE NO LIABILITY FOR COMPLIANCE OF SUCH PLANS WITH THESE PLAT RESTRICTIONS OR THE DECLARATION OF ANY APPLICABLE CODE, REGULATION OR LAW.

10. COVENANTS APPLICABLE TO LAND. THESE COVENANTS ARE TO RUN WITH THE LAND, AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM THE DATE THESE COVENANTS ARE RECORDED, AT WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS EACH, UNLESS AT ANY TIME AFTER FIFTEEN (15) YEARS A MAJORITY OF THE OWNERS OF THE LOTS IN THIS SUBDIVISION AGREE TO CHANGE (OR TERMINATE) SAID COVENANTS IN WHOLE OR IN PART AND ON THE CONDITION THAT AN INSTRUMENT TO THAT EFFECT SIGNED BY THE LOT OWNERS VOTING IN FAVOR OF CHANGE HAS BEEN RECORDED. PROVIDED, HOWEVER, THAT NO CHANGE OR TERMINATION OF SAID COVENANT SHALL AFFECT ANY EASEMENT HEREBY CREATED OR GRANTED UNLESS ALL PERSONS ENTITLED TO THE BENEFICIAL USE OF SUCH EASEMENT SHALL CONSENT HERETO.

11. ENFORCEMENT. WAIVER. ENFORCEMENT SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANT EITHER TO RESTRAIN FROM SUCH VIOLATION OR TO RECOVER DAMAGES. INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGEMENT OR COURT ORDER SHALL IN NO WAY AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT. FAILURE TO ENFORCE ANY SPECIFIC REQUIREMENT OF THE COVENANT SHALL NOT BE CONSIDERED AS A WAIVER TO ENFORCE ANY COVENANT THEREAFTER. NOTWITHSTANDING THE FOREGOING, ANY VIOLATION OF THESE COVENANTS OR THE DECLARATION MAY BE WAIVED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS IN THIS SUBDIVISION.

12. AMENDMENTS AND SUPPLEMENTS. DEVELOPER HEREBY RESERVES THE RIGHT, FROM TIME TO TIME AND AT ANY TIME, TO MODIFY, SUPPLEMENT OR AMEND THESE EASEMENTS, COVENANTS AND RESTRICTIONS, WITHOUT THE CONSENT OF ANY OWNER OR PARTY IN INTEREST, IF DEVELOPER RECORDS THE MODIFICATION IN THE OFFICE OF THE RECORDER OF JOHNSON COUNTY, INDIANA, AND THE MODIFICATION IS FOR ANY ONE OR MORE OF THE FOLLOWING PURPOSES: (i) TO EXTEND THE PROVISIONS OF THESE EASEMENTS, COVENANTS AND RESTRICTIONS TO BIND AND BENEFIT THE ANNEXED REAL ESTATE AND THE OWNER(S) OF A LOT WITHIN THE ANNEXED REAL ESTATE; (ii) TO CLARIFY, FURTHER DEFINE OR LIMIT ANY EASEMENT, OR OTHERWISE EXERCISE ANY RIGHTS RESERVED HEREIN; OR (iii) TO CHANGE THE SUBSTANCE OF ONE OR MORE COVENANTS, CONDITIONS, TERMS OR PROVISIONS HEREOF PROVIDED THAT SUCH CHANGE (A) DOES NOT MATERIALLY INCREASE THE OBLIGATION(S) OF ANY OWNER UNDER ANY COVENANT, CONDITION, TERM OR PROVISION WITHOUT SUCH OWNER'S CONSENT OR (B) IS NECESSARY TO COMPLY WITH A BONA FIDE GOVERNMENTAL REQUIREMENT, INCLUDING APPLICABLE LAWS, ORDINANCES, REGULATION OR ORDERS OF ANY MUNICIPALITY OR COURT HAVING JURISDICTION.

13. COMMITMENTS. ALL LANDS WITHIN THIS SUBDIVISION SHALL BE SUBJECT TO THE ZONING COMMITMENTS LISTED AND IDENTIFIED WITHIN INSTRUMENT NO. \_\_\_\_\_

14. LEGAL ENCUMBRANCES. ALL LANDS WITHIN THIS SUBDIVISION SHALL BE SUBJECT TO THE LEGAL ENCUMBRANCES LISTED AND IDENTIFIED WITHIN INSTRUMENT NO. \_\_\_\_\_

WITNESS OUR HANDS AND SEALS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

PRINTED NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

STATE OF INDIANA  
COUNTY OF SHELBY

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SHELBY COUNTY, INDIANA, PERSONALLY APPEARED \_\_\_\_\_ INSTRUMENT IS HIS VOLUNTARY ACT AND DEED, FOR THE PURPOSES EXPRESSED HEREIN.

WITNESS MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2019.

NOTARY PUBLIC \_\_\_\_\_

RESIDENT OF \_\_\_\_\_ COUNTY, INDIANA

A PART OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 12 NORTH, RANGE 7 EAST AND PART OF THE SOUTH EAST QUARTER OF SECTION 31, TOWNSHIP 13 NORTH, RANGE 7 EAST, ALL IN ADDITION TOWNSHIP, SHELBY COUNTY, INDIANA

## CERTIFICATE OF APPROVAL

UNDER AUTHORITY PROVIDED BY CHAPTER 138, ACTS 1957, ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF INDIANA, AND ALL ACTS SUPPLEMENTAL AND AMENDATORY THEREOF, THIS PLAT WAS GIVEN PRIMARY APPROVAL BY A MAJORITY OF THE MEMBERS OF THE CITY OF SHELBYVILLE PLAN COMMISSION AS PROVIDED FOR IN THE UNIFIED DEVELOPMENT ORDINANCE FOR THE CITY OF SHELBYVILLE AT A MEETING HELD ON THE 30TH, DAY OF SEPTEMBER, 2019.

CITY OF SHELBYVILLE PLAN COMMISSION

BY: \_\_\_\_\_  
PRESIDENT

PRINTED NAME \_\_\_\_\_

ATTEST \_\_\_\_\_

BY: \_\_\_\_\_  
SECRETARY

PRINTED NAME \_\_\_\_\_

## RECORDING NOTE

I AFFIRM, UNDER PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

GEORGE W. CHARLES II

GEORGE W. CHARLES II  
INDIANA LAND SURVEYOR  
NO. LS 2880117  
EMAIL: gwcharles@crossroadengineers.com  
WEBSITE: crossroadengineers.com

## HAMILTON-MAJOR SUBDIVISION SECONDARY PLAT

PROJECT NO.	DRAWN	KLF	CHECKED	CJJ
DATE	OCTOBER 8, 2019	DESIGNED	DMS	APPROVED
			GWC	



Transportation & Development Consultants  
301 N. Main St., Suite 200, Indianapolis, IN 46204  
SHEET 2 OF 2







**Attachment D:**

**Hamilton-Major Place**

**Street Tree Planting Recommendations**

It's a tough environment for trees to be planted in an urban setting. The average life span of urban and suburban trees is 25-30 years. With construction, poor soil, limited space, drought and salt, it is a wonder that they survive. It is our goal to make sure that the right tree is planted in the right place. The accompanying tree list is one made up of trees whose characteristics make them suitable for planting in lawn adjacent to walks or streets. It is very important that you examine the planting site carefully and in turn, that a tree suited for its mature size and growing conditions be selected.

This is a comprehensive list but not all inclusive. It is intended to give you a good selection from which to choose. Many tree species were specifically not included for various reasons such as: destructive root system, messy fruit, low survival rates, poor branching pattern, etc. If there is a species not included on this list that you feel should be included, please contact the city's planning specialist.

**Acer campestre, HEDGE MAPLE**

Height 30', Spread 30'

Dense and rounded shape. Dark green, glossy summer foliage with a yellowish fall color. A low maintenance, tough tree which adapts well to urban settings. Medium slow in growth rate and long lived. Attractive corky bark is striking in the winter.

**Acer campestre 'Panacek', METRO GOLD MAPLE**

Height 35', Spread 20'

This is an excellent street tree selection from a species that has earned a reputation as a tough urban tree. Upright and narrow in form, it is much more slender than seedling hedge maple and a better fit for narrow city streets. It produces fewer seeds than typical of the species and has an improved, bright yellow fall color.

**Acer campestre 'Evelyn', QUEEN ELIZABETH MAPLE**

Height 35', Spread 30'

More vigorous and upright growing than typical Hedge Maples, this medium sized shade tree has upright branch angles of 45 degrees as opposed to the horizontal or sometimes downward growing branches typical of the species. Rounded at maturity, it is a handsome, symmetrical and reliable city tree with dark green summer foliage and a yellowish fall color.

**Acer grandidentatum, ROCKY MOUNTAIN GLOW MAPLE**

Height 25', Spread 15'

This slow growing relative of the Sugar Maple is native to the Rocky Mountains. It is similar to Sugar Maple but both leaves and tree are smaller. It has dark green summer foliage and an intense fall color of yellow to orange-red.

**Acer griseum, PAPERBARK MAPLE**

Height 25', Spread 20'

A small tree of rare beauty, this trifoliate maple's compound leaves give it a delicate texture in the summer, then displays long lasting red fall color. Exfoliating orange-brown to cinnamon-brown bark creates year round interest.

**Acer platanoides 'Crimson King', CRIMSON KING MAPLE**

Height 40', Spread 35'

The most commonly used cultivar of the purple leafed Norway Maples, Crimson King retains its purple foliage color well from spring until fall.

**Acer platanoides "Crimson Sentry" CRIMSON SENTRY MAPLE**

Height 50', Spread 40'

This bud sport of Crimson King shares the deep purple leaf color of its parent, but matures to a much smaller ultimate size. A very compact, heavily branched, upright tree.

*Acer platanoides* “Emerald Queen” **EMERALD QUEEN MAPLE**

Height 50’, Spread 40’

Emerald Queen is probably the most widely used Norway Maple cultivar. In many respects it is the best green leafed selection. It forms a well shaped oval tree with good environmental tolerance and reliable yellow fall color.

*Acer rubrum* “Armstrong” **ARMSTRONG MAPLE**

Height 45’, Spread 15’

Armstrong is a fast growing columnar maple that is widely used in street plantings. The light green summer foliage turns yellow to orange-red in the fall.

*Acer rubrum* “Brandywine” **BRANDYWINE MAPLE**

Height 40’, Spread 30’

Brandywine is a cross of October Glory and Autumn Flame. Seedless, it produces deep red fall color ten days later than most red maples and has proven to be well adapted in the South.

*Acer rubrum* “October Glory” **OCTOBER GLORY MAPLE**

Height 40’, Spread 35’

October Glory is a round headed selection which is the last cultivar to color in the fall. Shiny green summer foliage changes brilliant crimson to reddish purple in fall.

*Acer rubrum* “Red Rocket” **RED ROCKET MAPLE**

Height 38’, Spread 15’

Red Rocket is a narrow and upright maple. From a Minnesota seed source, it is one of the most cold hardy cultivars. Fall color is very bright, orange red to red.

*Acer rubrum* “Franks Jr” **REDPOINTE MAPLE**

Height 45’, Spread 30’

Upright and broadly pyramidal, Redpointe is a faster growing Red Maple with a straight central leader resulting in stronger branch angles. It has dark green summer foliage that turns brilliant red in fall.

*Acer rubrum* “Franksred” **RED SUNSET MAPLE**

Height 45’ Spread 35’

Red Sunset Maple has a very strong and symmetrical branching pattern. It has lustrous glossy, green foliage that changes to brilliant shades of red and orange-red in the fall.

*Acer rubrum* “Sun Valley” **SUN VALLEY MAPLE**

Height 40’, Spread 30’

Sun Valley has a very uniform oval head that has dense green summer foliage. Leaves turn a brilliant red in the fall.

*Acer saccharum* “Bailsta” **FALL FEISTA MAPLE**

Height 50', Spread 40'

Sturdy and compact when young, this cultivar matures to become a full size specimen with an especially symmetrical crown and thick dark green summer foliage. Autumn brings on a mix of orange, red and yellow fall colors. It does have excellent resistance to Japanese beetles.

*Acer saccharum* “Green Mountain” **GREEN MOUNTAIN MAPLE**

Height 50', Spread 40'

Green Mountain is the standard for comparison in Sugar Maples. It is the most widely planted selection and has proven over time. It is probably the hardiest Sugar Maple and is the best choice for northern areas. It provides reliable red- orange fall color.

*Acer saccharum* “Legacy” **LEGACY MAPLE**

Height 50', Spread 35'

Legacy Maple is a fast growing, robust Sugar Maple that develops an oval crown. The shiny, dark green foliage is resistant to summer heat. Fall color is predominantly red, showing shades of pink, orange and some yellow.

*Acer truncatum* x *platanoides* “Warrenred” **PACIFIC SUNSET MAPLE**

Height 30', Spread 25'

A cross between a *Truncatum* Maple and a Norway Maple, the Pacific Sunset Maple has a unique, upright spreading head, with exceptionally glossy green foliage. Fall color is yellow orange to bright red.

*Aesculus x carnea* “Briotti” **BRIOTTI HORSECHESTNUT**

Height 30', Spread 35'

Briotti Horsechestnut is a rounded, very symmetrical tree with very striking red blooms in the spring. Leaves are uniquely shaped and are dark green in the summer and yellow in the fall.

*Aesculus x carnea* “Fort McNair” **FORT MCNAIR HORSECHESTNUT**

Height 32', Spread 30'

This species of Horsechestnut has a nicely, rounded canopy. In spring time, dark pink, panicle shaped blooms emerge. Foliage is a dark green color that turns yellow in autumn.

*Amelanchier x grandiflora* “Autumn Brilliance” **AUTUMN BRILLIANCE SERVICEBERRY**

Height 20', Spread 15'

Heavy stems are covered with clusters of white flowers in spring and produce an upright, moderately spreading tree. Edible purplish red berries ripen in summer and the fall leaf color is a brilliant red. The tree bark is a light grey color.

*Carpinus betulus* “Fastigiata” **PYRAMIDAL EUROPEAN HORNBEAM**

Height 35’, Spread 25’

Pyramidal European Hornbeam is symmetrical and formal in appearance. It is heat and drought resistant and seems to be relatively free of disease and pest problems. Fall color is yellow.

*Carpinus betulus* “Frans Fontaine” **FRANS FONTAINE HORNBEAM**

Height: 35’, Spread 15’

Frans Fontaine Hornbeam is the narrowest of the Pyramidal Hornbeams and maintains a stiff, upright stance. Frans Fontaine has dark green foliage in summer and a yellow fall color.

*Carpinus caroliniana* “Palisade” **PALISADE AMERICAN HORNBEAM**

Height 30’, Spread 15’

Palisade forms an upright oval canopy with ascending branches and excellent density. It brings a uniform street tree appearance to an otherwise variable species. Attractive sinewy gray bark forms on mature trees.

*Cercis Canadensis* “Eastern Redbud” **EASTERN REDBUD**

Height 25’, Spread 15-25’

Eastern Redbud is a small, native tree with ascending branches and heart-shaped leaves. They have rosy-pink blooms that emerge in early spring. The leaves are green throughout the summer and turn a brilliant yellow in the fall.

*Cladrastis kentukea* “Yellowwood” **YELLOWWOOD**

Height 30’, Spread 40’

Showy cascades of fragrant white pea-like blooms are spectacular in May and June. Compound leaves and arching branches give an elm-like shape to this urban-tolerant native shade tree.

*Cornus kousa chinensis* “Kousa Dogwood” **KOUSA DOGWOOD**

Height 20’, 20’ spread

A small tree covered with outstanding white star-like blooms in spring. A strawberry-red fruit emerges in fall where flowers once were. The lustrous dark green foliage gives way to a red fall color.

*Ginkgo biloba* “Autumn Gold” **AUTUMN GOLD GINGKO**

Height 45’, Spread 35’



Autumn Gold Ginkgo has a pyramidal shape in youth that slowly becomes rounded. Foliage is a medium green color in the summer and turns a spectacular golden color in the fall.

*Ginkgo biloba* "JFS-UGA2" **GOLDEN COLONNADE GINKGO**

Height 45', Spread 25'

Golden Colonnade Ginkgo has a strong upright central leader which gives it its narrowly oval growth habit. Leaves are a medium green color in the summer and turn to a bright yellow in the fall.

*Gleditsia tricanthos* "Imcole" **IMPERIAL HONEYLOCUST**

Height 35', Spread 35'

Imperial Honeylocust has a graceful spreading head with dark green foliage. Its shape is naturally rounded and has wide branching angles that resist storm damage and create a horizontal spreading branch pattern. The fall color is yellow.

*Gleditsia tricanthos* "Skycole" **SKYLINE HONEYLOCUST**

Height 45', Spread 35'

It is a strong grower that develops a shapely crown. Foliage is dark green and slightly larger than other varieties of Honeylocust. It is ideal for many street tree situations because it has a well branched form and many environmental tolerances. The fall color is yellow

*Gleditsia tricanthos* "Draves" **STREET KEEPER HONEYLOCUST**

Height 45', Spread 20'

Street Keeper Honeylocust maintains a tight, narrow form with an ascending branching structure that makes it an ideal street tree. The deep green summer foliage turns yellow in fall.

*Liquidambar styraciflua* "Moraine" **MORaine SWEETGUM**

Height 40', Spread 25'

Moraine is considered the most cold hardy sweet gum variety. It has dark green, deeply lobed summer foliage that turns to a striking burgundy red fall color.

*Liquidambar styraciflua* "Rotundiloba" **ROTUNDILOBA SWEETGUM**

Height 45', Spread 25'

This is the only Sweetgum that is known to be entirely fruitless. The foliage is completely unique among Sweetgum cultivars, with smooth, rounded lobes.

*Nyssa sylvatica* "Black Tupelo" **BLACK TUPELO**

Height 35', Spread 20'

Rich, green, glossy foliage ignites with brilliant fall tones, ranging from scarlet to maroon, yellow, and orange. Fissured grey bark provides winter interest. Adaptable to urban conditions including compacted and poorly drained soils and occasional drought.

*Nyssa sylvatica* “Wildfire” **WILDFIRE TUPELO**

Height 40’, Spread 25’

This Tupelo offers an extra season of brightly colored foliage. Spring brings a surprising flush of deep red new growth, which continues as long as the leaves emerge. Summer foliage is green changing to autumn tints of orange-yellow to purplish red.

*Ostrya virginiana* “American Hophornbeam” **AMERICAN HOPHORNBEAM**

Height 40’, Spread 25’

American Hophornbeam performs well in urban settings. Pest resistant and tolerant of drought and alkaline soils, its hard wood resists damage from ice and snow. Hop-like fruits and finely serrated hornbeam-like leaves give this tree its name. It has dark green foliage in the summer and yellow fall color.

*Syringa reticulata* “Ivory Silk” **IVORY SILK LILAC**

Height 20’, Spread 15’

Ivory Silk Lilac is a sturdy, compact tree-form of the lilac family. It has enormous, creamy white blooms that cover the branches in early summer. It has an upright habit that rounds with age. The leaves are dark green in the summer and turn a gold-green in the fall.

*Ulmus x frontier* “Frontier” **FRONTIER ELM**

Height 40’, Spread 30’

An elm of moderate stature with beautiful reddish purple fall color, the Frontier Elm is an excellent shade tree to use under power-lines, along parking areas and highways, or in the urban landscape. Frontier Elm has shown excellent resistance to Dutch Elm Disease. It has large dark green, leathery foliage in summer and turns yellow in the fall.

*Ulmus x Patriot* “Patriot” **PATRIOT ELM**

Height 50’, Spread 40’

This National Arboretum introduction features stiffly ascending branches, resulting in a narrower vase shaped crown than most cultivars. Its boldly textured foliage is especially dark green in summer and turns yellow in fall.

*Ulmus wilsoniana* “Prospector” **PROSPECTOR ELM**

Height 40’, Spread 30’

This cultivar forms a broadly vase shaped crown at an early age, and provides the form and toughness of the American Elm without its problems. It has deep green, glossy foliage in summer and a yellow fall color.

**Zelkova serrata "Green Vase" GREEN VASE ZELKOVA**

Height 45', Spread 30'

Green Vase is fast-growing and has a handsome vase-shaped habit. The dark green summer foliage turns to a yellow-orange to bronzy-maroon in fall. Established trees are wind and drought tolerant.

**Zelkova serrata "Village Green" VILLAGE GREEN ZELKOVA**

Height 40', Spread 40'

This cultivar has an upright growing pattern and is fast-growing. Village Green Zelkova has a naturally "clean" appearance. Its dark green foliage is very dense and turns a rusty-red color in the fall.