

Adam M. Rude
DIRECTOR



Allan Henderson
DEPUTY DIRECTOR

PLAN COMMISSION

Meeting Date: 04/25/2022

Case Number and Name:	PC 2022-06: Randy Robinson SDP			
Petitioner's Name:	Randy Robinson			
Owner's Name:	Randy Robinson			
Petitioner's Representative:	Tony Nicholson			
Address of Subject Property:	950 W Washington Street, Shelbyville, IN 46176			
Subject Property Zoning Classification:	IG- General Industrial			
Comprehensive Plan Future Land Use:	Heavy/Medium Industrial			
	North	East	South	West
Surrounding Properties' Zoning Classification:	IG- General Industrial	R1 – Single Family Residential	R1 – Single Family Residential	RE – Residential Estate
Surrounding Properties' Comprehensive Plan Future Land Use:	Conservation	Single-Family Residential	Heavy/Medium Industrial	Single-Family Residential
History:	This site, owned by Randy Robinson, currently has a warehouse building used for storage. This lot was previously owned by the Paxton family, until Randy Robinson took ownership in April of 2021. The existing buildings on the lot were built in 1977, and this site development plan is for a building to replace one of the existing storage buildings.			
Vicinity Map:				
Action Requested:	Approval of a Site Development Plan for a storage building adjacent to an existing storage building.			

1. This site is located in an industrial zoning district, and is surrounded by single-family housing (R1) and other industrial developments. This site development plan is for an additional building that will serve as more storage for the storing of antique cars. This will replace another storage building that is being torn down due to its small size and poor condition. The building that this is replacing is located on the eastern side of the property, and is non-conforming to many current standards. The new building will be located on the western side of the property to satisfy setback standards. It will be 6000 square feet, and will be constructed in one phase.
2. The Zoning Ordinance (Section 9.05 (F) (5)) requires the Plan Commission make Findings of Fact that the Site Development Plan:
 - a. Is consistent with the City of Shelbyville Comprehensive Plan;
 - i. This new storage building is consistent with the future land use of the area. The future land use for this site is listed as “Heavy/Medium Industrial”, and this new storage building can be used in an industrial setting.
 - ii. One of the objectives identified in the Comprehensive Plan is to “promote development and redevelopment of existing sites and buildings”. This objective is met with this site development plan by redeveloping a building in poor condition with a new structure that satisfies today’s standards.
 - b. Meets the Technical Review Committee’s expectations for best practices and quality design;
 - i. Landscaping Standards UDO 5.32: The new storage building will require 3 shrubs on the south facade, 4 shrubs on both the east and west facades, 2 shrubs on the north facade, and 1 canopy tree in the yard. **This issue was not addressed, but can easily be satisfied by submitting a revised set of plans.**
 - ii. Setback Standards UDO 5.55: The original plans showed the proposed building having sideyard setbacks of only 15’ and the standards require a sideyard setback of 25’. This issue was satisfied by moving the proposed structure to the east side of the site and giving a larger sideyard setback.
 - iii. Drainage Standards: The CN for gravel area is 76-91 based on the soil types. The plans stated that a CN of 96 was used. **This was not addressed, and should be revised and resubmitted to the City Engineer’s Office prior to the issuance of any permits.**
 - iv. Drainage Report: The square footage of the existing building to remain, stone area, and grass area in the maps of the drainage report is different from what is listed in the calculations of the drainage report. The engineer requires a new drainage report. **This issue was not addressed, and should be revised and resubmitted to the City Engineer’s Office prior to the issuance of any permits.**
 - c. Satisfies the applicable requirements of Article 2: Zoning Districts;
 - i. The permitted uses for General Industrial include use as a warehouse, which is what this use is categorized as. All lot sizes, setbacks, and structure sizes are satisfied according to the standards in UDO 2.28.
 - d. Satisfies the applicable requirements of Article 5: Development Standards;

i. Landscape Plan:

According to UDO 5.31, the proposed structure will require 3 shrubs on the south facade, 4 shrubs on both the east and west facades, 2 shrubs on the north facade, and 1 canopy tree in the yard. However, none have been provided.

ii. Driveway/Parking/Loading/Sidewalks/Easements/Lighting

All standards throughout Article 5 of the UDO that apply to this project have been satisfied. The amount of parking spaces required is 4 spaces, according to the Shelbyville Plan Commission, and the site proposes 4 parking spaces.

STAFF RECOMMENDATION: Approval with conditions:

1. Revise and resubmit landscape plan for approval by the Planning Staff.
2. Revise and resubmit drainage plans and drainage report for approval by the City Engineer.

Site Development Plan: PC2022-06, Randy Robinson SDP

Findings Of Fact By The Shelbyville Plan Commission

Staff Prepared

Motion:

(I) would like to make a motion to approve the site development plan as presented to this body, including conditions recommended by the staff, pursuant to the planning staff's report and Findings of Fact.

1. The site development plan is consistent with the City of Shelbyville Comprehensive Plan as outlined in the planning staff's report.

The site development plan is not consistent with the City of Shelbyville Comprehensive Plan, as outlined in the planning staff's report.

2. The site development plan meets the Technical Review Committee's expectations for best practices and quality design, as outlined in the planning staff's report, as outlined in the planning staff's report.

The site development plan does not meet the Technical Review Committee's expectations for best practices and quality design, as outlined in the planning staff's report, as outlined in the planning staff's report

3. The site development plan satisfies the applicable requirements of Article 2: Zoning Districts, as outlined in the planning staff's report.

The site development plan does not satisfy the applicable requirements of Article 2: Zoning Districts, as outlined in the planning staff's report.

4. The site development plan satisfies the applicable requirements of Article 5: Development Standards, as outlined in the planning staff's report.

The site development plan does not satisfy the applicable requirements of Article 5: Development Standards, as outlined in the planning staff's report.

5. The site development plan satisfies the applicable requirements of Article 6: Design Standards, as outlined in the planning staff's report.

The site development plan does not satisfy the applicable requirements of Article 6: Design Standards, as outlined by the planning staff's report.

6. This site development plan satisfies all other applicable provisions of the Unified Development Ordinance, as outlined by the planning staff's report.

The site development plan does not satisfy all other applicable provisions of the Unified Development Ordinance, as outlined in the planning staff's report.

Additional Conditions Imposed by the Shelbyville Plan Commission:

1.

2.

Shelbyville Plan Commission

By: _____

Chairperson

Attest: _____

Secretary



SITE DEVELOPMENT PLAN APPLICATION

Shelbyville Planning & Building Department
44 West Washington Street
Shelbyville, IN 46176
P: 317.392.5102

For Office Use Only:

Case #: PC 2022 - 06

Hearing Date: 4.25.22

Fees Paid: \$ 855.00

Final Decision:

Approved

Denied

1.

Applicant

Name: TONY L. NICHOLSON
Address: 6 E. TAYLOR ST.
SHELBYVILLE, IN 46176
Phone Number: 317-392-4444
Fax Number: N/A
Email: space and sites @
sbcglobal.net

Property Owners Information (if different than Applicant)

Name: RANDY ROBINSON
Address: 302 HABIG ST
SHELBYVILLE IN 46176
Phone Number: 317 402-2223
Fax Number: N/A
Email: RANDY AUTOTRUCK @
COMCAST.NET

2.

Applicant's Attorney/Representative

Name: N/A
Address: _____
Phone Number: _____
Fax Number: _____
Email: _____

Project Engineer

Name: SPACE AND SITES LLC.
Address: 6 E TAYLOR ST
SHELBYVILLE IN 46176
Phone Number: 317-392-4444
Fax Number: N/A
Email: SAME

3. Project Information:

General Location of Property (and address is applicable): 905 W. WASHINGTON

Current Zoning: IG Existing Use of Property: STORAGE

Proposed Zoning: _____ Proposed Use: _____

4. Attachments

- ☐ Affidavit and Consent of Property Owner (if applicable)
- ☒ Proof of Ownership (copy of deed, recent property card)
- ☒ Letter of Intent
- ☒ Civil Plans as prescribed in UDO 9.05
- ☒ Vicinity Map

- ☒ Lighting Plan
- ☒ Landscaping Plan
- ☒ Drainage Plan and Report
- ☒ Dimensioned Site Plan
- ☒ Filling Fee

The undersigned states the above information is true and correct as s/he is informed and believes.

Applicant: Tony L. Nicholson Date: 3/9/2022

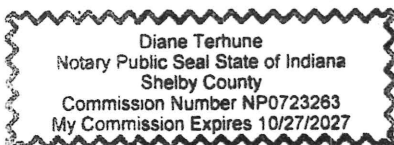
State of IN
County of Shelby SS:

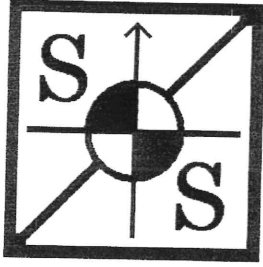
Subscribed and sworn to before me this 14th day of MARCH, 2022

DIANE TERHUNE Diane Terhune
Notary Public Printed

Residing in Shelby County.

My Commission Expires: 10/27/2027





SPACE and SITES, LLC

BUILDING DESIGN, LAND PLANNING

6 EAST TAYLOR ST, SHELBYVILLE, IN 46176

PH: 317-392-4444

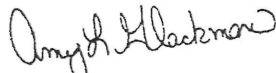
spaceandsites@sbcglobal.net


LETTER OF INTENT

Property is located at 905 West Washington Street. The owner has plans to remove old building and replace it with a 60 x 100' post construction facility. The facility will have four (4) overhead doors and two (2) passage doors with 16' eaves, metal siding, and metal roof. The facility will be used for storage of autos and auto parts.

ENTER FOR TAXATION

MAR 22 2021


SHELBY COUNTY AUDITOR

2021002220 WD \$25.00
03/22/2021 03:43:07P 6 PGS
Tawnya J Williams
SHELBY County Recorder IN
Recorded as Presented


WARRANTY DEED


THIS INDENTURE WITNESSETH that **RANDALL ROBINSON and HILDA M. ROBINSON**, *Husband and Wife*, of Shelby County, Indiana, ("Grantor"), **CONVEY AND WARRANT**, to **ROBINSON'S REAL PROPERTIES, LLC**, an Indiana Limited Liability Company, of Shelby County, Indiana, ("Grantee"), for the sum of No Dollars (\$0.00) and no other valuable consideration, the receipt of which is hereby acknowledged, the following described real estate situated in Shelby County in the State of Indiana, to-wit:

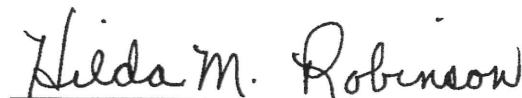
See attached Exhibit A.

Subject to any and all easements, agreements, liens, restrictions, zoning regulations and ordinances, and encumbrances of record.

Grantee assumes and agrees to pay the real estate taxes due and payable in 2021 and all subsequent taxes thereon.

Dated this 16th day of March, 2021.


Randall Robinson

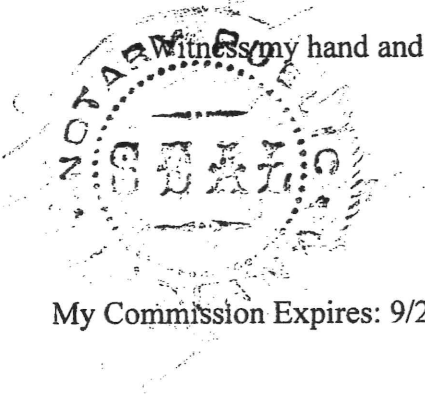

Hilda M. Robinson

SALE DISCLOSURE
NOT REQUIRED
SHELBY COUNTY ASSESSOR


STATE OF INDIANA)
) SS:
COUNTY OF SHELBY)

Before me, a Notary Public in and for said County and State, personally appeared Randall Robinson and Hilda M. Robinson, Husband and Wife, who acknowledged the execution of the above and foregoing instrument as and for their free and voluntary act and deed.

Witness my hand and Notarial Seal this 16th day of March, 2021.



My Commission Expires: 9/28/2021



Jason L. Karmire, Notary Public
Resident of Shelby County, Indiana

Send tax statements to:
302 Habig Street
Shelbyville, Indiana 46176

Grantee's Address:
302 Habig Street
Shelbyville, Indiana 46176

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Jason L. Karmire

This Instrument prepared by Jason L. Karmire, Attorney at Law, #27189-73
51 West Mechanic Street, Shelbyville, Indiana 46176
Telephone: 317-398-0909 Facsimile: 317-392-4842

EXHIBIT A

TRACT ONE

Part of the Northwest quarter of Section 6, Township 12 North, Range 7 East of the Second Principal Meridian in Shelby County, Indiana; more particularly described as follows:

Beginning at the intersection of the centerline of Franklin Street and the centerline of Habig Street in the City of Shelbyville, Indiana; and running thence South 68 degrees 48 minutes 00 seconds West (assumed bearing) 344.00 feet to an iron pin; last described line being the centerline of said Franklin Street extended; thence South 19 degrees 05 minutes 00 seconds East 351.70 feet to the centerline of a County road known as the Old Franklin Road; thence North 68 degrees 47 minutes 00 seconds East 355.80 feet along the centerline of said county road to the centerline of Habig Street; thence North 21 degrees 00 minutes 00 seconds West 351.50 feet along the centerline of said Habig Street to the point of beginning, containing 2.82 acres more or less.

More commonly known as 950 West Washington Avenue, Shelbyville, Indiana 46176.

[Parcel No. 73-11-06-100-103.000-002]

TRACT TWO

Part of the Northwest quarter of Section 6, Township 12 North, Range 7 East of the Second Principal Meridian in Shelby County, Indiana; more particularly described as follows:

Beginning at the intersection of the centerline of Franklin Street and the centerline of Habig Street in the City of Shelbyville, Indiana; and running thence North 21 degrees 00 minutes 22 seconds West on and along the centerline of Habig Street 300.0 feet to a point, said point being a railroad spike; thence South 58 degrees 47 minutes 06 seconds West 336.31 feet parallel with Franklin Street to a point; thence South 19 degrees 05 minutes 00 seconds West 300.12 feet to a point where the centerline of Franklin Street extended would intersect; thence North 58 degrees 48 minutes 00 seconds East 344.0 feet along the extension of the centerline of Franklin Street to the place of beginning of this tract, containing 2.334 acres more or less.

Mary J. Phares

CORPORATE WARRANTY DEED

THIS INDENTURE WITNESSETH, That **44 East Rentals, Inc.** ("Grantor") CONVEYS AND WARRANTS to **Jesse Eads** ("Grantee") of Shelby County, in the State of Indiana, for the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following described real estate located in **Shelby** County, State of Indiana:

The address of such real estate is commonly known as 62 Third St, Shelbyville, IN 46176. Tax bills should be sent to Grantee at such address unless otherwise indicated below.

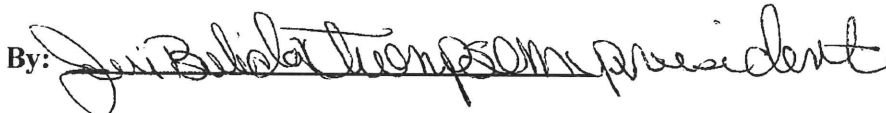
**SALES DISCLOSURE
APPROVED
SHELBY CO. ASSESSOR**

GRANTOR REPRESENTS AND WARRANTS THAT THIS CONVEYANCE "IS" or "IS NOT" SUBJECT TO THE INDIANA GROSS INCOME TAX.

The undersigned person executing this deed on behalf of Grantor represents and certifies that he/she is a duly elected officer of Grantor and has been fully empowered, by proper resolution of the Board of Directors of Grantor, to execute and deliver this deed; that Grantor has full corporate capacity to convey the real estate described herein; and that all necessary corporate action for the making of such conveyance has been taken and done.

IN WITNESS WHEREOF, Grantor has caused this deed to be executed and delivered this 29 day of SEPTEMBER, 2017.

GRANTOR: 44 East Rentals, Inc.

By:  president

Printed Name: Jeri Belinda Thompson

Title: President

STATE OF INDIANA }
 }SS:
COUNTY OF Shelby }

ACKNOWLEDGMENT

Before me, a Notary Public in and for said County and State, personally appeared **Jeri Belinda Thompson, President of 44 East Rentals, Inc.**, who acknowledged the execution of the foregoing Corporate Warranty Deed, and who, having been duly sworn, stated that any representations therein contained are true.

Witness my hand and Notarial Seal this 29 day of SEPTEMBER, 2017.

Notary Public

William M. Seeling
Notary Public
SEAL

Printed Name

Resident of

Shelby County, State of Indiana
My Commission Expires July 19, 2022

My Commission Expires:

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law. (Candace L. Broady)

THIS INSTRUMENT WAS PREPARED BY: Candace L. Broady, Attorney at Law.

Send tax bills to Grantee(s) at: 1017 S. Harrison St. Shelbyville, IN 46176

After recording, return to: **Lenders Escrow & Title Services 8310 Allison Pointe Blvd, Indianapolis, IN 46250**

Order No. 2017-16467