

# CITY OF SHELBYVILLE

**Adam M. Rude**  
Director



**Allan Henderson**  
Deputy Director

## PLAN COMMISSION

**MEETING DATE: 7/26/2021**

Case Number & Name:	PC 2021-04: Tammy Ralstin/1258 East McKay Road			
Petitioner's Name:	Tammy Ralstin			
Owner's Name:	Tammy Ralstin			
Petitioner's Representative:	Tammy Ralstin			
Address of Property:	1258 East McKay Road			
Subject Property Zoning Classification:	Current: R1 – Single Family Residential District (Shelby County Zoning Ordinance) Proposed: R1 – Single Family Residential (City of Shelbyville Zoning Ordinance)			
Comprehensive Future Land use:	Single Family Residential			
	<b>North</b>	<b>East</b>	<b>South</b>	<b>West</b>
Surrounding Properties' Zoning Classifications:	R1 – Single Family Residential	R1 – Single Family Residential	R1 – Single Family Residential	R1 – Single Family Residential
Surrounding Properties' Comprehensive Future Land Use	Single Family Residential	Single Family Residential	Single Family Residential	Single Family Residential
History:	The property owner contacted the City to connect into the wastewater utility in April 2021. As part of the City's requirements for utility connection the property owner was required to sign a waiver of non-remonstrance for annexation.			
Vicinity Map:				
Action Requested:	A formal recommendation on the zoning classification for a property being annexed into the City.			

The petitioner owns the property at 1258 and needed to connect into the Wastewater Utility. The property is currently located within Shelby County. The petitioner is asking to be annexed into the City of Shelbyville and is seeking a recommendation on the zoning classification.

1. The Unified Development Ordinance (Section 9.10 (K)) requires the Plan Commission pay “reasonable regard” to the following decision criteria:

- a. **Relation to the Comprehensive Plan:**

In the Future Land Use map, located on page 93 of the Comprehensive Plan, this area is shown as “Single Family Residential”. In addition, two of the goals of the Comprehensive plan support incorporating fringe areas of the city/county into the corporate limits of the City of Shelbyville:

*Built Environment:*

Objective 1: Formalize the City’s foreseeable future growth boundaries;

Action 2: Continue transparency between City and County visions and growth policies.

Objective 2: Guide healthy development patterns using future land use mapping;

Action 2: Be conscientious of fringe boundary development around Shelbyville and into Shelby County.

- b. **Current Conditions:**

The subject property is an “island” surrounded by single family residential properties within the City of Shelbyville.

- c. **Desired Use:**

The petitioner desires to continue to operate the property as a single-family residence.

- d. **Property Values:**

The planning staff has determined that the proposed zoning classification should not have any adverse impact on neighboring property values. If anything, it will have a positive impact because the infrastructure is already in place to support any future growth in the area.

- e. **Responsible Growth:**

The planning staff has determined that all public infrastructure is in place and has sufficient capacity for the proposed zoning classification. This reinforces the reason the petitioner wanted to connect into the wastewater utility.

**STAFF RECOMMENDATION: FORWARDING A FAVORABLE RECOMMENDATION  
WITH THE *R1 – SINGLE FAMILY RESIDENTIAL* ZONING CLASSIFICATION**

## Annexation (Zoning Map Amendment): PC 2021-04: Tammy Ralstin/1258 East McKay Road

### Findings of Fact by the Shelbyville Plan Commission

#### Staff Prepared

##### Motion:

(I) would like to make a motion to forward a favorable recommendation to assign the zoning classification of *R1 – Single Family Residence* for the subject property, once annexed into the City limits, pursuant to the planning staff's report and Findings of Fact.

1. ☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone is consistent with The City of Shelbyville Comprehensive Plan and all other applicable, adopted planning studies or reports.  
☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone **is not** consistent with The City of Shelbyville Comprehensive Plan and all other applicable, adopted planning studies or reports.
2. ☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone is complimentary to the current conditions and the character of current structures and uses in this zoning district.  
☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone **is not** complimentary to the current conditions and the character of current structures and uses in this zoning district.
3. ☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone will allow for the most desirable use of the subject land, pursuant to the planning staff's report.  
☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone **will not** allow for the most desirable use of the subject land, pursuant to the planning staff's report.
4. ☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone will not have an adverse negative effect on the conservation of property values throughout the City of Shelbyville's planning jurisdiction, pursuant to the planning staff's report.  
☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone **will** have an adverse negative effect on the conservation of property values throughout the City of Shelbyville's planning jurisdiction, pursuant to the planning staff's report.
5. ☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone is a responsible growth and development strategy for the City of Shelbyville's planning jurisdiction, pursuant to the planning staff's report.  
☐ The Plan Commission has paid reasonable regard to, and finds that the proposed rezone is not a responsible growth and development strategy for the City of Shelbyville's planning jurisdiction, pursuant to the planning staff's report.

#### Shelbyville Plan Commission

By: \_\_\_\_\_

Chairperson / Presiding Officer

Attest: \_\_\_\_\_

Adam M. Rude, Secretary



PETITION FOR ANNEXATION INTO THE CITY OF SHELBYVILLE, INDIANA

Shelbyville Plan Commission  
44 West Washington Street  
Shelbyville, IN 46176  
P: 317.392.5102

For Office Use Only:

Case #: PC \_\_\_\_\_ - \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Fees Paid: \$ \_\_\_\_\_

Final Decision:

Approved

Denied

1. Petitioner & Property Owner:

Petitioner: Tammy L. Ralstin  
Name: \_\_\_\_\_

Address: 1258 E. McKay Road  
Shelbyville, IN 46176

Phone Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

2. Applicant's Attorney/Contact Person and Project Engineer (if any):

Attorney/Contact Person:

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

3. Project Information:

Subject Parcel Number(s) (and address if applicable): \_\_\_\_\_

1258 E. McKay Road

4. Attachments:

- ☒ Proof of ownership (copy of deed)  
☐ Letter of Intent  
☐ Other Supporting Documents (Optional)

Owner:

Name: Same

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Project Engineer:

Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Current Use: home

Current Zoning: residential

Proposed Use: home

Proposed Zoning: same

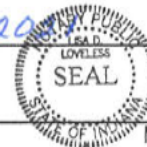
- ☐ Application Fee  
☒ Legal Description

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

Signature of Petitioner: Tammy L. Ralstin Date: 04/15/2021

State of Indiana )  
County of Shelby ) SS:

Subscribed and sworn to before me this 15th day of April, 2021  
Lisa D. Loveless / Lisa D. Loveless  
Notary Public - Signed Printed  
Residing in Shelby County. My Commission expires: 10-24-27



Signature of Property Owner: Tammy L. Ralstin Date: 04/15/2021

State of Indiana )  
County of Shelby ) SS:

Subscribed and sworn to before me this 15th day of April, 2021  
Lisa D. Loveless / Lisa D. Loveless  
Notary Public - Signed Printed  
Residing in Shelby County. My Commission expires: 10-24-27







Beginning 200.37 feet West of the Southeast corner of the West Half of the Northwest Quarter of Section 9, Township 12 North, Range 7 East, Shelby County, Indiana, and being a part of the land described in Instrument No. 2005002648, Office of the Recorder of Shelby County, more particularly described as follows:

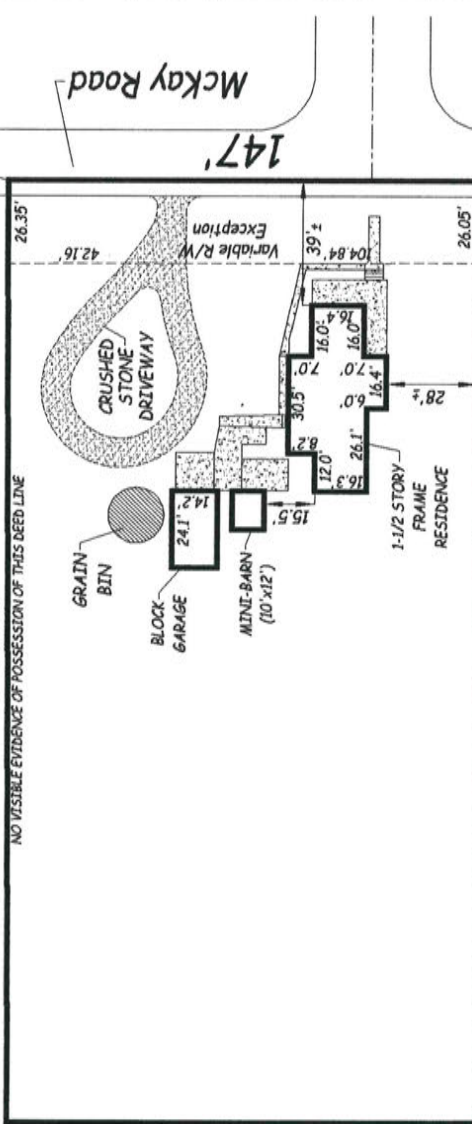
**EXCEPT THEREFROM:** A part of the West Half of the Northwest Quarter of Section 9, Township 12 North, Range 7 East, Shelby County, Indiana, and being a part of the land described in Instrument No. 2005002648, Office of the Recorder of Shelby County, more particularly described as follows:

Commencing at the Southeast corner of said Half Quarter Section; thence South 89 degrees 36 minutes 28 seconds West (assumed bearing) 200.37 feet along the South line of said Quarter Section to the Southeast corner of the grantors land being the Point of Beginning of this description; thence continuing South 89 degrees 36 minutes 28 seconds West 147.00 feet along said South line to the Southwest corner of the grantors land; thence North 00 degrees 42 minutes 20 seconds West 26.05 feet along the West line of the grantors land; thence North 89 degrees 33 minutes 59 seconds East 104.84 feet; thence North 89 degrees 17 minutes 17 seconds East 42.16 feet to the East line of the grantors land; thence South 00 degrees 42 minutes 18 seconds East 26.35 feet along the East line of the grantors land to the Point of Beginning and containing 0.088 acres, more or less. The portion of the above described real estate which is not already embraced within public rights of way contains 0.033 acres, more or less.

Subject, however, to all legal highways, rights of way, easements and restrictions of record.

296.33'

NO VISIBLE EVIDENCE OF POSSESSION OF THIS DEED LINE



P.O. Box 786 - Greenfield, IN 46140

(317) 462-3734 \* (fax) 462-4510

This real estate

IS NOT

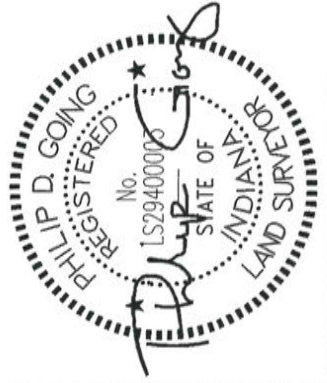
located in a special Flood Hazard Zone A, by scale on the FEMA Flood Insurance Rate Map (FIRM) Number 180235 0090 B, dated Oct. 15, 1982.

This report is based on limited accuracy measurements and is designed for use by a Title Insurance Company with residential loan policies. No corner markers were set and NO liability will be assumed for any use of this report for construction of new improvements or fences.

I, the undersigned, hereby certify to the parties named herein, that the real estate described in this report was inspected under my direct supervision on the date indicated and that, to the best of my knowledge, information and belief, this report conforms with the requirements contained in Sections 27 through 29 of 865 IAC 1-12 for a Surveyor Location Report.



Prepared For:  
**Kings Title & Abstract**  
**200601-357**



1



2



3



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