

Edinburgh Plan Commission Minutes
May 20, 2025
6 p.m. Town Hall

President Justin Lollar opened the meeting with roll call. Members in attendance were Bill Jones, Keith Sells, Robert Ackerman, Ray Walton, Miriam Rooks, Ryan Piercefield, and Stephanie Taylor. Staff members present were Town Attorney Dustin Huddleston and Planning Director Julie Young. Commissioner Debbie Vaughan was absent.

Commissioner Rooks made the motion to approve the minutes of the April 15, 2025, meeting. Commissioner Ackerman seconded the motion, which carried.

Attorney Huddleston explained the rules of speaking before the Plan Commission and swore in those planning to speak.

Planning Director Young presented case **PC2025-05-HCOD Dan Phillips**, a request to locate a forty (40) foot long by eight (8) foot wide shipping container on the east side of the existing garage at 7710 East State Road 252, Edinburgh, Indiana 46124, within the Highway Corridor Overlay District. The petitioner is proposing to locate the shipping container six (6) feet from the east property line, meeting the requirement of the side yard setback. The shipping container would be located ten (10) feet from the existing garage.

Petitioner Dan Phillips, 8802 W 1000 S, Edinburgh, Indiana 46124, spoke and answered questions from Commissioners. He plans to use this container for long-term storage, not for commercial use. He lives in Shelby County but plans to reside here in the future. Someone is presently staying at the residence located on this site, but the person is not renting. He noted that this placement in Edinburgh is for his convenience, that is why it is not in Shelby County. It is temporary, but he has no time frame for when it would be removed. There are two enclosed trailers already on this property. He uses these in his work for his tools on his jobsite.

Travis Burton, 501 Lincoln Street, Edinburgh, Indiana 46124, spoke against the petition. He noted that Mr. Phillips already has four of these storage containers at his Shelby County residence and he asked the Plan Commission to not allow this.

In response, Mr. Phillips noted that he has no shipping containers at his Shelby County residence and he is in compliance with Shelby County, and he wants to be in compliance with Edinburgh.

There were no other comments.

Commissioner Rooks made the motion to deny the petition based on the Staff Recommendations for the Architectural Design:

1. The property is located on the north side of State Road 252;
2. The proposed structure does not comply with the standards of Zoning Ordinance Section 156.133 for the Highway Corridor Overlay District; and
3. The proposed structure does not complement the materials of the existing house and garage. The house has masonry products and the garage has siding.

Commissioner Piercefield seconded the motion, which carried.

Planning Director Young then presented case **PC 2025-06 HCOD Edell T. Carr**, a petition to build a 24' x 30' garage on the west side of the property at 112 South Blue River Drive, Edinburgh, Indiana 46124. The property is approximately one block south of State Road 252, within the Highway Corridor Overlay District. The purpose will be to store lawnmowers, motorcycles, bicycles, lawn tools, and project lumber for the owner's hobbies. The petitioner plans to build a garage that has similar color siding as the existing garage on the property.

Petitioner Edell T. Carr, 112 South Blue River Drive, Edinburgh, Indiana 46124, spoke, noting that there is already a 24' x 30' pole barn-style garage on the property.

No one spoke in opposition to the petition.

Commissioner Walton made the motion to approve the petition with the following six (6) conditions, which include two (2) waivers:

1. That the Plan Commission grant a waiver of the requirements of the Town Zoning Corridor Ordinance **Division 3 156.133 (2) a. and b.** to allow the proposed garage to be constructed with materials similar to the existing house;
2. That the Plan Commission grant a waiver of the requirements of the Town Zoning Ordinance **Division 3 156.135** and thereby not require the development plan to meet the requirements of the landscape plan;
3. That this decision is null and void should the Petitioner fail to develop and occupy the project within two (2) years of the Plan Commission Findings of Fact;
4. That the project must be compliant with all other developmental standards established in the Edinburgh Zoning Ordinances for development within the Highway Corridor Overlay District for which a waiver is not specifically granted;
5. That the structure must be compliant with all applicable Building Codes adopted by the State of Indiana, and all other requirements of the Edinburgh Zoning Ordinances; and
6. That this decision is only granted to this Petitioner, and any waiver of requirements granted shall not be transferable to any other development of this property not directly associated with this plan submittal.

Commissioner Piercefield seconded the motion, which carried.

Planning Director Young then presented case **PC 2025-07 RZ VR Empire, LLC-Rezone**, a request to rezone approximately 1.01 acres from General Business (GB) to Roadside Business (RB) for the development of a Shell gas station and convenience store on Eisenhower Drive, Edinburgh, Indiana 46124, just south of the O'Reilly Auto Parts store. The subject property is within the Highway Corridor Overlay District. VR Empire plans to develop the property into a gas station and convenience store under the Shell brand. The convenience store will be a 3,000 square foot building. There will be four (4) fuel islands with a total of eight (8) fuel stations. There will be no separate diesel pumps for semi-tractors or other oversized vehicles.

The petitioner proposed a list of prohibited uses that includes uses listed in Permitted Use and Special Exception Table of the Zoning Ordinance 156.036, Table 1, as well as other uses that are commonly prohibited whether or not they are specifically called out in the Edinburgh Zoning Ordinance.

Development of the parcel is subject to the regulations of the Highway Corridor Overlay District. As such, future development on the parcel will require Plan Commission approval of the architectural design, landscaping, drainage, sewerage, parking, signage, lighting and access to the property shall be necessary prior to: (1) the establishment of any use of the land; (2) the issuance of any improvement location permit; (3) the erection, construction or structural alteration of any building.

If the property is approved for rezoning (from GB to RB) by the Edinburgh Town Council, it would be the first of many approvals required prior to development of this parcel. The petitioner would require Town Council rezoning approval, Plan Commission site plan approval for Highway Corridor Overlay District regulations, Indiana Department of Homeland Security Certificate of Design Release for building permit, Town of Edinburgh building permit issuance, and potentially other approvals.

Paul Carroll, representing the petitioner, then spoke and answered questions from Commissioners. This will be a 24-hour business. Shell gas stations have certain aesthetics; but he does not know what those materials would be. There was a question as to the removal of the sidewalk in order to provide egress from Eisenhower Drive. Mr. Carroll later noted that the egress point will be a reciprocal drive to the north. Commissioner Rooks asked about site plans.

Planning Director Young said that the plans still need to undergo drainage approval, which could change the site.

No one spoke against the petition.

Attorney Huddleston reminded the Commissioners that, with their vote, they were sending a favorable, unfavorable, or no recommendation to the Town Council.

Commissioner Jones made the motion to send a favorable recommendation for rezoning to the Town Council, with the commitments proposed by the petitioner:

The following uses shall be prohibited on the subject property:

- a. Construction supply yards
- b. Manufactured or mobile home park or sales
- c. Wholesale trade
- d. Gun store
- e. Vape shop
- f. Tattoo parlor
- g. Check cashing store

Commissioner Ackerman seconded the motion, which carried.

Planning Director Young informed the Commissioners that at the June 9, 2025, Town Council meeting, the Unified Development Ordinance document will be presented. Commissioners are encouraged to attend that meeting. The document will be sent to the Commissioners later this week. In June or July, it will then be presented to the Plan Commission.

There being no further business, Commissioner Rooks made the motion to adjourn at 6:32 p.m. Commissioner Walton seconded the motion, which carried.

Justin Lollar, Chairman

Stephanie Taylor, Secretary