

2009-9

Shelby County Plan Commission

25 West Polk Street, Room 201

Shelbyville, Indiana 46176

(317) 392-6338

Executive Director

Amy L. Dillon, AICP

DATE: April 16, 2009
TO: Shelby County Plan Commission
FROM: Amy L. Dillon, AICP
Plan Commission Executive Director

RE: Additional Subdivision Exemptions

An Ordinance to amend the Shelby County Unified Development Ordinance, specifically Article 9.13 B.4.

Be it Ordained by the Board of Commissioners of Shelby County, Indiana as follows:

SECTION 1: Purpose. The purpose of this Ordinance shall be to amend the Shelby County Unified Development Ordinance, specifically Article 9.13 B.4.

SECTION 2: Amendment of the Unified Development Ordinance of Shelby County.

4. *Exemptions:* The following exemptions to the subdivision process shall apply.
 - a. Condominiums regulated by IC 32-35.
 - b. Any parcel that is at least 20-acres in size and that is being divided for agricultural purposes only and not for the purpose, whether immediate or future, for building development or other improvement for residential, commercial, industrial, recreational, or other non-agricultural purpose.
 - c. Any parcel being divided for sale, gift, or exchange between adjoining land owners for boundary line adjustment or for the combining with or adding to an existing adjacent parcel, provided no additional building sites are created and that all involved parcels and/or combined parcels after transfer shall comply with the Unified Development Ordinance. The zoning of the original parcel(s) shall be adjusted to fit the altered parcels unless the additional acreage would result in the ability of the property owner to create additional conforming lots of record through the formal subdivision process. If the lot line adjustment and adjusted zoning allows for the creation of additional conforming lots through further subdivision of a parcel, then the property must proceed through the formal rezoning process prior to making any lot line adjustments.
 - d. Any parcel being divided from a parent tract of at least twenty (20) acres, which had an existing residence or business structure located on the parcel

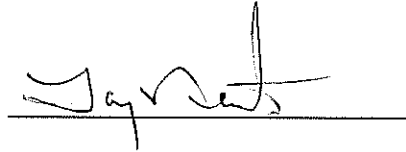
prior to October 18, 2008. The new parcel with the existing structure must meet the regulations of the Unified Development Ordinance and be rezoned prior to subdivision from the parent tract.

- e. Any parcel being divided or acquired by a public agency or utility for a street or utility right-of-way or easement, other than those required for a subdivision as defined in the Unified Development Ordinance.
- f. Any parcel or easement to be used for drainage or easement of access.
- g. Any parcel being divided into cemetery plots.
- h. Any parcel that is divided for purposes of mortgage or financial institution requirements where the ownership of the parent tract and the new parcel remain the same and no new building lot is created.
- i. Any lot or parcel of record on October 18, 2008.

SECTION 3: Effective Date. This ordinance shall be in full force and effect from and after its adoption by the Board of Commissioners of Shelby County, Indiana.

SECTION 4: Repealable Provisions. All ordinances and parts of ordinances in conflict with the specific amendment herein are hereby repealed.

ADOPTED this 1st day of June, 2009, by a vote of 3 ayes and 0
nays of members of the Board of Commissioners of Shelby County, Indiana.



Tony Newton, President

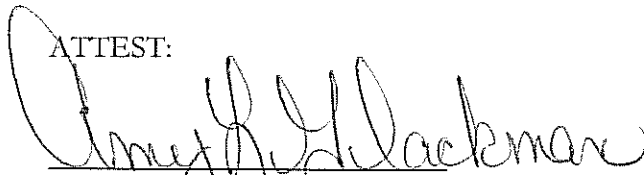


Kevin Nigh, Member



David Mohr, Member

ATTEST:



Amy Glackman, Auditor
Shelby County, Indiana