

ZONING ORDINANCE NO.
2011-04
ZONING ORDINANCE AMENDMENT

THIS IS AN ORDINANCE for the purpose of amending and changing the zoning ordinances of the County of Shelby as it relates to a certain tract of property known as 2598 West Boggstown Road, Shelbyville, Indiana, specifically amending the Shelby County, Indiana Zoning Ordinance adopted by the Board of Commissioners of Shelby County, Indiana on September 18, 2008, which became effective on October 18, 2008, including and incorporating therein Township Zoning Maps dated September 18, 2008 as amended, showing the boundary lines of certain Zoning Districts thereon.

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 Zoning Map of Addison Township of the Shelby County Code and the zoning ordinances thereunder as it relates to the real estate specifically described in Section 2 of this Ordinance to change the designation of said real estate from being zoned A1, Conservation Agricultural, to a designation R1, Single-family Residential (approximately 1.275 +/- acres).

Section 2: Amendment. Shelby County, Indiana Zoning Ordinance adopted by the Board of Commissioners of Shelby County, Indiana on September 18, 2008, which became effective on October 18, 2008, including and incorporating therein Township Zoning Maps dated September 18, 2008, as amended, showing the boundary lines of certain Zoning Districts thereon, are hereby amended by adding the following subsection:

Land rezoned from “A1,” Conservation Agricultural, to “R1,” Single-family

Residential:

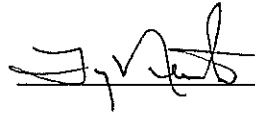
The following parcels of land and real estate located in Addison Township, Shelby County, Indiana and particularly described herein being formerly zoned and shown on the Addison Township Zoning District Map and lying in an “A1” Conservation Agricultural district is hereby rezoned to “R1” Single-family Residential:

See attached legal descriptions of subject rezone tracts.

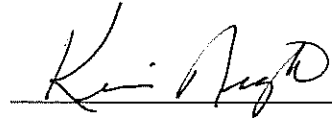
Section 3: Effective Date. This ordinance shall be in full force and effect from and after its adoption by the Board of Commissioners of Shelby County, Indiana.

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

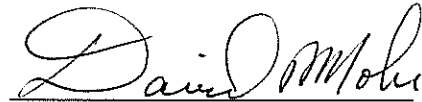
ADOPTED this 28 day of March, 2011, by a vote of 3 ayes and
0 nays of members of the Board of Commissioners of Shelby County, Indiana.



Tony Newton, President

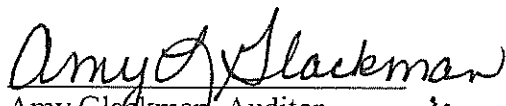


Kevin Nigh, Member



David Mohr, Member

ATTEST:



Amy Glackman, Auditor
Shelby County, Indiana

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Shelby County Plan Commission

March 22, 2011

To: Shelby County Commissioners
From: Amy L. Dillon, AICP
Executive Director

RE: Rezone 11-04: Arthur Thurston, Amy Thurston Berthorux, Samuel Parrish Thurston and Ewing Family Farms, LLC

Gentlemen,

On behalf of the Shelby County Plan Commission, I certify to you the following report and recommendation concerning the application for approval of the rezone petition for the property located at 2598 West Boggstown Road in Addison Township filed by Arthur Thurston, Amy Thurston Berthorux, Samuel Parrish Thurston and Ewing Family Farms, LLC.

- 1.) The Plan Commission heard the application on March 22, 2011 at a public hearing held at the Shelby County Courthouse Annex Room 208A. Proper notice was given prior to the meeting to all interested parties and by publication in the Shelbyville News as required by ordinance.
- 2.) The petitioner was represented by Attorney Peter DePrez.
- 3.) Peter DePrez made a formal presentation regarding the petition to the Plan Commission.
- 4.) Prior to the meeting on March 22, 2011, the petitioner had presented the Plan Commission with the following information.
 - a.) Rezone Application.
 - b.) Letter of Intent.
 - c.) Property description and aerial photo of the property to be rezoned.
 - d.) Survey drawing of the property.
 - e.) Written Findings of Fact.

- 5.) Public comment was solicited and considered by the Plan Commission.
- 6.) The Plan Commission asked questions of the petitioner prior to making a motion on the petition.
- 7.) A motion was made to vote on the petition to forward a favorable recommendation to rezone the subject 1.275 acres from A1 to R1 to the County Commissioners.

The Plan Commission approved the motion; therefore, a favorable recommendation is being forwarded to the County Commissioners.

Respectfully,

Amy L. Dillon, AICP
Executive Director

Copy to: File
Peter DePrez