

# Shelby County Plan Commission

25 West Polk Street, Room 201  
Shelbyville, Indiana 46176  
(317) 392-6338

Planning Director  
Desiree Calderella, AICP

## CERTIFICATION OF RECOMMENDATION

October 22, 2019

To: Shelby County Commissioners  
From: Desiree Calderella, AICP  
Planning Director

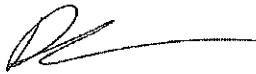
**RE: RZ 19-14, rezoning from A1 (Conservation Agricultural) to RE (Residential Estate)**

In accordance with IC 36-7-4-605 and IC 36-7-4-608, the Shelby County Plan Commission hereby certifies the following recommendation to the Shelby County Commissioners with regard to amending the zoning maps of the Shelby County Unified Development Ordinance:

At their meeting on October 22, 2019 the Shelby County Plan Commission gave a **FAVORABLE** recommendation to amend the zoning map of the Unified Development Ordinance to be zoned RE for 5 acres of property located at 5176 W SR 252, Edinburgh.

The Board voted 6-0 in favor of the petition. No member of the public spoke in opposition to the request.

Respectfully,



Desiree Calderella, AICP  
Planning Director  
Shelby County Plan Commission

**ORDINANCE NO. 2019 - 29**

**ZONING ORDINANCE AMENDMENT**

THIS IS AN ORDINANCE for the purpose of amending and changing the zoning ordinance of the County of Shelby as it relates to a certain tract of property located at 5176 W SR 252, Edinburgh. 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 Jackson 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 RE (Residential Estate) (5 acres). A petition was filed by Scott T. Sumerford, representative for Bull & Branch Farms, LLC (Mike Steinbarger), on October 1, 2019, under Case No. RZ 19-14, to amend the zoning map of Shelby County, Indiana to change the zoning of said real estate.

**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 sub-section:

**Land rezoned from "A1," Conservation Agricultural, to "RE" Residential Estate:**

The following parcel of land and real estate located in Jackson Township, Shelby County, Indiana and particularly described herein and show on the map below being formerly zoned and shown on the Jackson Township Zoning District Map and lying in an "A1" Conservation Agricultural district is hereby rezoned to "RE" Residential Estate district.

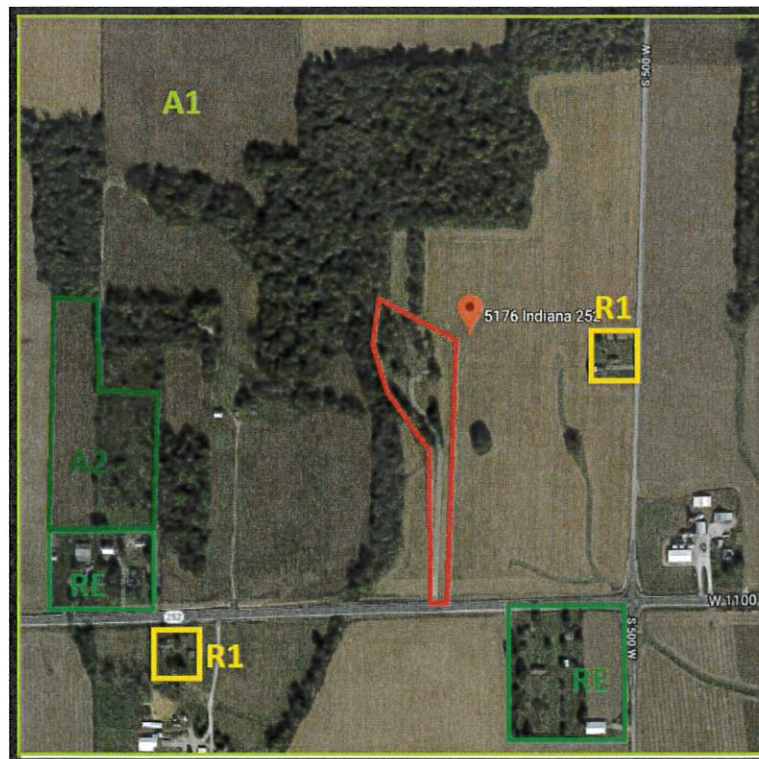
Part of the southeast quarter of Section Twenty-nine (29), Township Eleven (11) North, Range Six (6) East, Jackson Township, Shelby County, Indiana, being part of survey Job #11N6E29-19-044 by Scott T. Sumerford, RLS#29800017, certified October 22, 2019 and being more particularly described as follows:

Commencing at the southeast corner of the southeast quarter of said section 29-11-6, said point being marked by a steel pin in concrete; thence along the south line of said quarter section, South  $88^{\circ}29'39''$  West (basis of bearings being Indiana State Plane East Zone) 489.41 feet; thence North  $01^{\circ}33'12''$  West 60.92 feet to the north line of State Road 252, said State of Indiana property conveyed per Instrument No. 2013001246, said point being a point of deflection in the right-of-way, Station 504+00, 60'L per Project 3273(003) Code 4256; thence along said north line, South  $88^{\circ}26'48''$  West 477.19 feet to a capped rebar stamped "S. Sumerford 29800017", said monument being hereinafter referred to as a capped rebar, said capped rebar at Station 499+22.81, 60'L of said Project and being the point of beginning of the herein described tract;

Thence continuing along the north line of said State Road 252, South  $88^{\circ}26'48''$  West 50.10 feet to a capped rebar; thence North  $01^{\circ}59'04''$  East 665.89 feet to a capped rebar; thence South  $75^{\circ}06'21''$  West 189.03 feet to a capped rebar; thence North  $00^{\circ}10'57''$  West 177.97 feet to a capped rebar; thence North  $08^{\circ}30'55''$  West 159.93 feet to a capped rebar; thence North  $35^{\circ}57'19''$  West 85.24 feet to a capped rebar; thence North  $13^{\circ}38'07''$  West 359.41 feet to a capped rebar; thence South  $78^{\circ}19'53''$  East 245.60 feet to a capped rebar; thence South  $41^{\circ}54'02''$  East 155.19 feet to a capped rebar; thence South  $17^{\circ}01'54''$  East 133.83 feet to a capped rebar; thence South  $01^{\circ}08'05''$  East 416.26 feet to a capped rebar; thence South  $01^{\circ}59'04''$  West 661.04 feet to the point of beginning, containing 5.000 acres.

Subject to all easements, restrictions and right-of-ways of record.

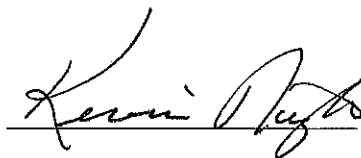
Map of subject rezone tract (outlined in red):



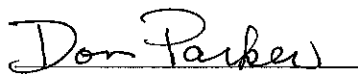
**Section 3: Effective Date.** This ordinance shall be in full force and effect from and after its adoption by the Board of Commissioners of Shelby County, Indiana.

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

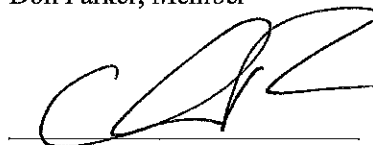
ADOPTED this 4<sup>th</sup> day of November 2019 by a vote of 3 ayes and 0 nays of members of the Board of Commissioners of Shelby County, Indiana.



Kevin Nigh, President



Don Parker, Member



Chris Ross, Member

ATTEST:

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Amy Glackman  
Shelby County, Indiana