

ORDINANCE NO. 2022 - 04

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 475 N 800 E, Shelbyville, Union Township. 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 Union 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 A2 (Agricultural) to RE (Residential Estate) (9.9 acres). A petition was filed by Jeffrey Kuhn on January 5, 2022 under Case No. RZ 22-02, 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 "A2," Agricultural, to "RE" Residential Estate:

The parcel of land and real estate located in Union Township, Shelby County, Indiana and particularly described by the attached legal description Exhibit "A" and shown on the

attached map, Exhibit "B", being formerly zoned and shown on the Union Township Zoning District Map as lying in an "A2" Agricultural District is hereby rezoned to "RE" Residential Estate.

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 All ordinances and parts of ordinances in conflict with the specific amendment herein are hereby repealed.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 7th day of February, 2022 by a vote of 2 ayes and 0 nays of members of the Board of Commissioners of Shelby County, Indiana.

Kevin Nigh, President

Don Parker

Don Parker, Member

Chris Ross

Chris Ross, Member

ATTEST:

Amy Glackman

Amy Glackman
Shelby County, Indiana

EXHIBIT A

LEGAL DESCRIPTION OF LOT 1 (Business Lot)

Part of the east half of the southeast quarter of Section Thirty-three (33), Township Thirteen (13) North, Range Eight (8) East of Union Township, Shelby County, Indiana, being part of survey Job #13N8E33-21-098 by Scott T. Sumerford, RLS#29800017, certified January 25, 2022 and being more particularly described as follows:

Beginning at the northeast corner of the southeast quarter of said section 33-13-8, said point marked by a stone; thence along the east line of said southeast quarter, South 00° 52' 54" East (basis of bearings being Indiana State Plane East Zone) 351.48 feet to a magnall and washer stamped "S. Sumerford 9800017"; thence North 62° 37' 10" West 279.46 feet to a capped rebar stamped "S. Sumerford 29800017"; thence North 87° 57' 04" West 184.18 feet to a capped rebar stamped "S. Sumerford 29800017"; thence South 47° 10' 06" West 286.56 feet to a capped rebar stamped "Powell 29800024"; thence North 02° 05' 57" West 410.17 feet to a capped rebar stamped "Powell 29800024" on the north line of said southeast quarter; thence along said north line, North 89° 53' 22" East 651.98 feet to the point of beginning, containing 4.118 acres.

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

LEGAL DESCRIPTION OF LOT 2 (Residence Lot)

Part of the east half of the southeast quarter of Section Thirty-three (33), Township Thirteen (13) North, Range Eight (8) East of Union Township, Shelby County, Indiana, being part of survey Job #13N8E33-21-098 by Scott T. Sumerford, RLS#29800017, certified January 25, 2022 and being more particularly described as follows:

Commencing at the northeast corner of the southeast quarter of said section 33-13-8, said point marked by a stone; thence along the east line of said southeast quarter, South 00° 52' 54" East (basis of bearings being Indiana State Plane East Zone) 351.48 feet to a magnall and washer stamped "S. Sumerford 9800017" at the point of beginning of the herein described tract;

Thence continuing along said east line, South 00° 52' 54" East 298.27 feet to the southeast corner of a 14.33 acre tract as described in Instrument No. 2009006549; thence along the south line of said 14.33 acre tract, North 89° 46' 24" West 691.94 feet to a capped rebar stamped "Kuhn Assoc 80012922" at the southeast corner of a 3.92 acre tract; thence along the east line of said 3.92 acre tract, North 02° 24' 46" West 252.18 feet to the northeast corner of said tract; thence South 73° 46' 42" East 57.90 feet to a capped rebar stamped "Powell 29800024"; thence North 47° 10' 06" East 286.56 feet to a capped rebar stamped "S. Sumerford 29800017"; thence South 87° 57' 04" East 184.18 feet to a capped rebar stamped "S. Sumerford 29800017"; thence South 62° 37' 10" East 279.46 feet to the point of beginning, containing 5.780 acres.

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

EXHIBIT B

