

ORDINANCE NO. 2023 -12

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 east of and adjoining 453 E 700 S, Shelbyville, Washington 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 Washington 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) (14.74 acres). A petition was filed by Scott T. Sumerford on behalf of Matt Davis on January 30, 2023 under Case No. RZ 23-04, 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 Washington 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 Washington Township Zoning District Map as lying in an "A2" Agricultural District is hereby rezoned to "RE" Residential Estate.

This zoning ordinance amendment is subject to and contingent upon Commitments Concerning the Use and Development of Real Estate, a copy of which is attached hereto as "Exhibit C".

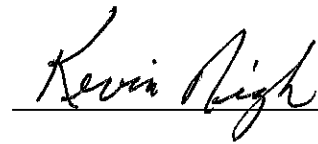
Section 3: Effective Date. This ordinance shall be in full force and effect from and after its adoption by the Board of Commissioners of Shelby County, Indiana.

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 All ordinances and parts of ordinances in conflict with the specific amendment herein are hereby repealed.

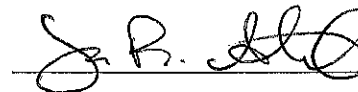
ADOPTED this 10th day of April, 2023 by a vote of 3 ayes and 0 nays of members of the Board of Commissioners of Shelby County, Indiana.



Don Parker, President




Kevin Nigh, Member



Jason Abel, Member

ATTEST:



Amy Glackman
Shelby County, Indiana

EXHIBIT A

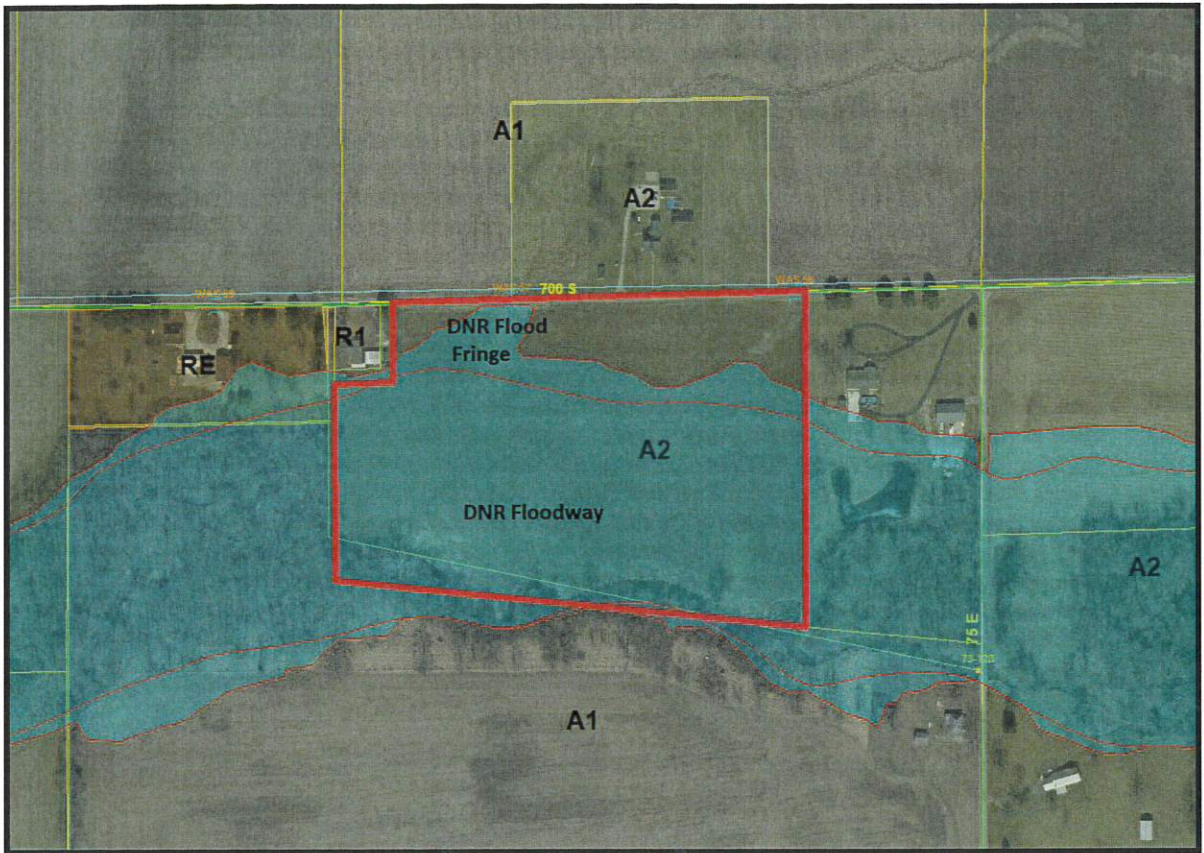


EXHIBIT B

A part of the Northwest quarter of the Northeast quarter of Section 8, Township 11 North Range 7 East, in Washington Township, Shelby County, Indiana, the following described tract being a part of the land described in Instrument # 2004003630 and being more particularly described as follows:

Beginning at the Northeast corner of the said quarter-quarter section; thence South 88 degrees 28 minutes 16 seconds West (Bearings per this description are based on State Plane Coordinated NAD 83, Indiana East 1301), along the North line of the said quarter-quarter section a distance of 376.03 feet to a Mag nail with a Powell washer, said point being the point of beginning of the tract herein described; thence South 00 degrees 00 minutes 17 seconds East parallel to the East line of the said quarter-quarter section a distance of 721.30 feet to a Powell capped rebar set on the South line of a 16.20 acre tract described in Instrument # 2004003630, also being the North line of a 16.5 acre tract described in Deed Record Book 309, page 72; thence North 84 degrees 18 minutes 53 seconds West along the aforesaid line a distance of 1012.74 feet to a point on the West line of the said quarter-quarter section, said point being 594 feet South of the Northwest corner of the said quarter-quarter section, and said point also being the Southwest corner of the said 16.20 acre tract and the Northwest corner of the 16.5 acre tract; thence North 00 degrees 17 minutes 52 seconds West along the West line of the said quarter-quarter section a distance of 420.60 feet to a corner of the said 16.20 acre tract also being the Southwest corner of a 0.5 acre tract described in Instrument #2004007007; thence North 88 degrees 28 minutes 16 seconds East, parallel to the North line of the said quarter-quarter section and being along the South line of the said 0.5 acre tract a distance of 125.60 feet to a corner of the said 16.20 acre tract, also being the Southeast corner of the said 0.5 acre tract; thence North 00 degrees 17 minutes 52 seconds West parallel to the West line of the said quarter-quarter section and along the West line of the said 16.20 acre tract, also being along the East line of the said 0.5 acre tract a distance of 173.40 feet to the Northwest corner of said 16.20 acre tract, also being the Northeast corner of the said 0.5 acre tract; thence North 88 degrees 28 minutes 16 seconds East along the North line of the said quarter-quarter section

a distance of 885.55 feet to the point of beginning, containing 14.736 acres more or less and being subject to all existing legal rights-of-way, restrictions, and easements of record.

EXHIBIT C

Commitments Concerning the Use and Development of Real Estate

1. *Development including single-family dwellings, accessory structures, and alteration of land in the Designated Flood Hazard Area shall be prohibited.*