

ORDINANCE NO. 2023-17

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 9721 N SR 9, Morristown, Van Buren 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 Van Buren 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 A2 (Agricultural) (10 acres). A petition was filed by Joseph and Loretta Bruning on March 23, 2023 under Case No. RZ 23-09, 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 "A2" Agricultural:

The parcel of land and real estate located in Van Buren 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 Van Buren Township Zoning District Map as lying in an "A1" Conservation Agricultural District is hereby rezoned to "A2" Agricultural.

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".

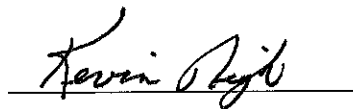
Section 3: Effective Date. This ordinance shall be in full force and effect from and after its adoption by the Board of Commissioners of Shelby County, Indiana.

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 All ordinances and parts of ordinances in conflict with the specific amendment herein are hereby repealed.

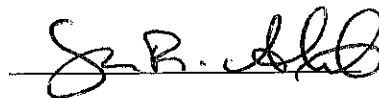
ADOPTED this 12th day of June, 2023 by a vote of 3 ayes and 0 nays of members of the Board of Commissioners of Shelby County, Indiana.



Don Parker, President



Kevin Nigh, Member



Jason Abel, Member

ATTEST:



Amy Glackman
Shelby County, Indiana

EXHIBIT A

Ten (10) acres off the south side of the southeast quarter of the northwest quarter of Section Seventeen (17), Township Fourteen (14) North, Range Seven (7) East, Van Buren Township, Shelby County, Indiana, being part of survey Job #14N7E17-22-106 by Scott T. Sumerford, RLS#29800017, certified April 25, 2023 and being more particularly described as follows:

Beginning at the southeast corner of the southeast quarter of the northwest quarter of said section 17-14-7, said point being marked by a pin in concrete highway monument; thence along the south line of said quarter quarter section, South $88^{\circ}58'48''$ West (basis of bearings being Indiana State Plane East Zone) 1345.86 feet to the southwest corner of said quarter quarter, said point marked by a capped rebar stamped "S. Sumerford 29800017"; thence along the west line of said quarter quarter, North $00^{\circ}59'18''$ West 323.64 feet to a capped rebar stamped "S. Sumerford 29800017"; thence parallel with the south line of said quarter quarter, North $88^{\circ}58'48''$ East 1346.04 feet to the east line of said quarter quarter; thence along said east line, South $00^{\circ}57'21''$ East 323.64 feet to the point of beginning, containing 10.000 acres.

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

