

ORDINANCE NO. 2023 - 18

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 generally north and west of the intersection of Freeport Rd. & CR 150 E, 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) (15 acres). A petition was filed by Joseph A, Kanoshia Ann Lengacher on May 8, 2023 under Case No. RZ 23-12, 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.

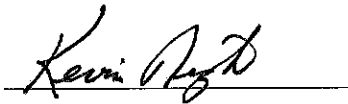
Section 3: Effective Date. This ordinance shall be in full force and effect from and after its adoption by the Board of Commissioners of Shelby County, Indiana.

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 All ordinances and parts of ordinances in conflict with the specific amendment herein are hereby repealed.

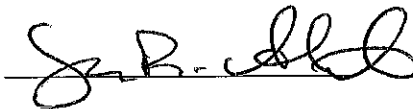
ADOPTED this 12th day of June, 2023 by a vote of 3 ayes and 0 nays of members of the Board of Commissioners of Shelby County, Indiana.



Don Parker, President



Kevin Nigh, Member



Jason Abel, Member

ATTEST:



Amy Glackman
Shelby County, Indiana

EXHIBIT A

Description of Lot #1 being split from Tract #2 per this subdivision.

A part of the Northwest Quarter of Section 16, in Township 14 North, Range 7 East of the Second Principle Meridian in Van Buren Township, Shelby County, Indiana, being created from a survey (Job # 7-2023) by Jeffery Powell and being more particularly described as follows:

Commencing at the Southeast corner of the Northwest Quarter of the said Section 16, said point being a railroad spike per the Shelby County ties, thence North 00 degrees 50 minutes 40 seconds West (Bearings based on NAD 83, Indiana East, State plane Coordinates) along the East line of the said quarter section a distance of 837.30 feet to a mag nail with a Powell washer, said point being the point of beginning of the tract herein described;
thence South 89 degrees 09 minutes 20 seconds West a distance of 466.70 feet to a Powell capped rebar;
thence North 00 degrees 50 minutes 40 seconds West a distance of 466.70 feet to a Powell capped rebar;
thence North 89 degrees 09 minutes 20 seconds East a distance of 466.70 feet to a mag nail with a Powell washer set on the East line of the said quarter section;
thence South 00 degrees 50 minutes 40 seconds East along the East line of the said quarter section a distance of 466.70 feet to the point of beginning. Containing 5,000 acres more or less and being subject to any and all easements, right of ways and restrictions.

Description of Lot #2 being split from Tract #5 per this subdivision.

A part of the Southwest Quarter of Section 16, in Township 14 North, Range 7 East of the Second Principle Meridian in Van Buren Township, Shelby County, Indiana, being created from a survey (Job # 7-2023) by Jeffery Powell and being more particularly described as follows:

Commencing at the Northeast corner of the Southwest Quarter of the said Section 16, said point being a railroad spike per the Shelby County ties, thence South 89 degrees 39 minutes 48 seconds West (Bearings based on NAD 83, Indiana East, State plane Coordinates) along the North line of the said quarter section a distance of 592.50 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 52 minutes 35 seconds East a distance of 427.08 feet to a Powell capped rebar;
thence South 89 degrees 39 minutes 48 seconds West a distance of 510.00 feet to a Powell capped rebar;
thence North 00 degrees 52 minutes 35 seconds West a distance of 427.08 feet to a mag nail with a Powell washer set on the North line of the said quarter section;
thence North 89 degrees 39 minutes 48 seconds East along the North line of the said quarter section a distance of 510.00 feet to the point of beginning. Containing 5,000 acres more or less and being subject to any and all easements, right of ways and restrictions.

Description of Lot #3 being split from Tract #5 per this subdivision.

A part of the Southwest Quarter of Section 16, in Township 14 North, Range 7 East of the Second Principle Meridian in Van Buren Township, Shelby County, Indiana, being created from a survey (Job # 7-2023) by Jeffery Powell and being more particularly described as follows:

Commencing at the Northeast corner of the Southwest Quarter of the said Section 16, said point being a railroad spike per the Shelby County ties, thence South 89 degrees 39 minutes 48 seconds West (Bearings based on NAD 83, Indiana East, State plane Coordinates) along the North line of the said quarter section a distance of 1102.50 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 52 minutes 35 seconds East a distance of 427.08 feet to a Powell capped rebar;
thence South 89 degrees 39 minutes 48 seconds West a distance of 510.00 feet to a Powell capped rebar set on the West line of a 92.792 acre tract recorded in Instrument 2023001365;
thence North 00 degrees 52 minutes 35 seconds West along the West line of the said 92.792 acre tract a distance of 427.08 feet to a mag nail with a Powell washer set on the North line of the said quarter section, being the Northwest corner of the said 92.792 acre tract;
thence North 89 degrees 39 minutes 48 seconds East along the North line of the said quarter section a distance of 510.00 feet to the point of beginning. Containing 5,000 acres more or less and being subject to any and all easements, right of ways and restrictions.

EXHIBIT B

