

ZONING ORDINANCE NO. 2009-8

ZONING ORDINANCE AMENDMENT

THIS IS AN ORDINANCE for the purpose of amending and changing the zoning ordinances of the County of Shelby as it relates to a certain tract of property known as 7730 West 950 North Fairland, Indiana, 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 Moral 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 a designation RE, Residential Estate (approximately 30.6 acres).

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:

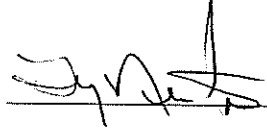
The following parcel of land and real estate located in Moral Township, Shelby County, Indiana and particularly described herein being formerly zoned and shown on the Moral Township Zoning District Map and lying in an “A1” Conservation Agricultural district is hereby rezoned to “RE” Residential Estate:

See attached legal description of overall parent tract.

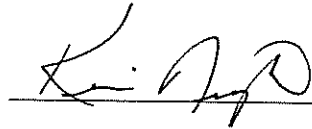
Section 3: Effective Date. This ordinance shall be in full force and effect from and after its adoption by the Board of Commissioners of Shelby County, Indiana.

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 All ordinances and parts of ordinances in conflict with the specific amendment herein are hereby repealed.

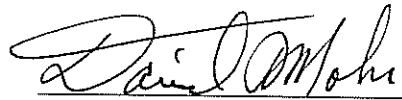
ADOPTED this 1st day of June, 2009, by a vote of 3 ayes and 0
nays of members of the Board of Commissioners of Shelby County, Indiana.



Tony Newton, President

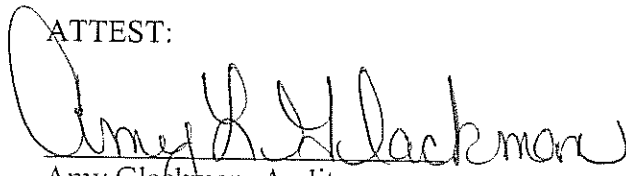


Kevin Nigh, Member



David Mohr, Member

ATTEST:



Amy Glackman, Auditor
Shelby County, Indiana

ENTER FOR TAXATION

MAR 25 2009

Amy R. Hackmore
SHELBY COUNTY AUDITOR

QUITCLAIM DEED

THIS QUITCLAIM DEED, executed this 23rd day of March, 2009,
by first party, Grantor, Jerry L. Brown Sr & Nancy E. Brown
whose post office address is 777~~8~~A W 950 N Fairland Indiana 46126
to second party, Grantee, Nancy E. Brown
whose post office address is 7770 W 950 N. Fairland Indiana 46126

WITNESSETH, That the said first party, for good consideration and for the sum of _____ Dollars (\$ _____)
the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release
and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first
party has in and to the following described parcel of land, and improvements and appurtenances thereto in
the County of Shelby, State of Indiana to wit:

Legal description PT SE NW 13 14 5 30.60ac
Parcel number - 73-01-13-100-034-000-013
See attached legal

Transfer from Jerry L Brown & Nancy E Brown
To Nancy E Brown only

west approximately 660 feet to the south line of the west half of the northwest quarter; thence west in and along said south line of the west half of the northwest quarter 50 feet to a point; thence north 2 degrees 38 minutes east 200 feet to a point; thence west parallel to the south line of the west half of the northwest quarter 390 feet to a point; thence south 2 degrees 38 minutes west 200 feet to the south line of said west half of the northwest quarter; thence west in and along said south line 50 feet to a point; thence north 2 degrees 38 minutes east 200 feet to a point; thence west parallel to the south line of said west half of the northwest quarter 250 feet to the place of beginning.

ALSO: a drainage easement over that remaining land of Grantor which is situate between the real estate herein conveyed and Little Sugar Creek, said easement to run Northwardly over said remaining real estate to Little Sugar Creek at a distance of not less than 300 feet North of County Road 950N in Shelby County, Indiana.

15. Beginning at a point on the South line of the West Half of the Northwest Quarter of Section 13, Township 14 North, Range 5 East, said point being North 90 degrees 00 minutes West 794.7 feet from a stone on the Southeast Corner of said half quarter section; thence North 02 degrees 38 minutes East 200.00 feet; thence North 90 degrees 00 minutes East 140.00 feet more or less to an existing wire fence, said point also adjoining land sold by Margaret J. Snider to Richard J. Shelley and Elmer Foltz in December, 1971; thence South 02 degrees 38 minutes West 200.0 feet, said line also coincides with line of property conveyed by Snider to Shelley and Foltz to a point in the South line of said half quarter section; thence North 90 degrees 00 minutes West 140.0 feet more or less to the point of beginning.

16. A part of the South Half of the Southwest Quarter of the Northwest Quarter of Section 13, Township 14 North, Range 5 East, Shelby County, Indiana; described as follows:

Commencing at the Southwest Corner of the Northwest Quarter of said Section 13; thence with the South line of the quarter North 87 degrees 21 minutes 00 seconds East 740.00 feet to the Southeast Corner of an 0.762 acre tract described at Deed Record 277 Page 142 in the Office of the Recorder of Shelby County and the true point of beginning of the tract herein described; thence with the East line of said 0.762 acre tract North 00 degrees 00 minutes 00 seconds East 664.39 feet to the Northeast corner of said 0.762 acre tract; thence with the line described as the North line of the South Half of the Southwest Quarter of the Northwest Quarter North 87 degrees 03 minutes 08 seconds East 229.95 feet to the center of Little Sugar Creek; thence with the mean center of said creek along the following five calls: (1) South 23 degrees 48 minutes 46 seconds West 137.66 feet; thence (2) South 64 degrees 12 minutes 24 seconds East 97.30 feet; thence (3) South 03 degrees 12 minutes 27 seconds East 50.40 feet; thence (4) North 87 degrees 38 minutes 37 seconds West 48.78 feet; thence (5) South 14 degrees 12 minutes 13 seconds East 42.40 feet; thence leaving said creek run parallel with the South line of the quarter North 87 degrees 21 minutes 00 seconds East 231.43 feet to an iron pin; thence South 02 degrees 01 minutes 48 seconds West 110.00 feet to iron pin; thence South 39 degrees 29 minutes 29 seconds West 107.40 feet to an iron pin; thence South 03 degrees 12 minutes 53 seconds East 21.80 feet to the South line of the quarter; thence with said

Case No: 99090816

CONTINUATION OF WARRANTY DEED

seconds West 382.00 feet to the point of beginning.

Quitclaim
CONTINUATION OF WARRANTY DEED

East, said point being North 90 degrees 00 minutes East 1340.28 feet from a stone on the Southwest Corner of said Half Quarter Section, thence North 04 degrees 40 minutes East 343.0 feet, along a fence; thence North 90 degrees 00 minutes West 127.0 feet; thence South 04 degrees 40 minutes West 343.0 feet, thence North 90 degrees 00 minutes East 127 feet to the point of beginning.

2. Beginning at a point on the South line of the West Half of the Northwest Quarter of Section 13, Township 14 North, Range 5 East, said point being North 90 degrees 00 minutes West 1344.70 feet from a stone on the Southeast Corner of said Half Quarter Section; thence North 2 degrees 33 minutes East 200 feet, thence North 90 degrees 00 minutes East 110 feet, thence South 02 degrees 33 minutes West 200 feet; thence North 90 degrees 00 minutes West 110 feet to the point of beginning.

3. Beginning at a point on the South line of the East Half of the Northwest Quarter of Section 13, Township 14 North, Range 5 East, said point being North 90 degrees 00 minutes East 768.78 feet from a stone on the Southwest Corner of said Half Quarter Section, thence North 4 degrees 40 minutes East 343.0 feet; thence North 90 degrees 00 minutes West 190.5 feet; thence South 4 degrees 40 minutes West 343.0 feet; thence North 90 degrees 00 minutes East 190.5 feet to the point of beginning.

4. Beginning at a point on the South line of the East Half of the Northwest Quarter of Section 13, Township 14 North, Range 5 East, said point being North 90 degrees 00 minutes East 895.78 feet from a stone on the Southwest Corner of said half quarter section, thence North 4 degrees 40 minutes East 343.0 feet; thence North 90 degrees 00 minutes West 127.0 feet; thence South 4 degrees 40 minutes West 343.0 feet; thence North 90 degrees 00 minutes East 127.0 feet to the point of beginning.

5. Beginning at a point on the South line of the East Half of the Northwest Quarter of Section 13, Township 14 North, Range 5 East, said point being North 90 degrees 00 minutes East 1022.78 feet from a stone on the Southwest corner of said half quarter, thence North 4 degrees 40 minutes East 343.0 feet, thence North 90 degrees 00 minutes West 127.0 feet, thence South 4 degrees 40 minutes West 343.0 feet; thence North 90 degrees 00 minutes East 127 feet to the point of beginning.

6. Beginning at a point on the South line of the East Half of the Northwest Quarter of Section 13, Township 14 North, Range 5 East, said point being North 90 degrees 00 minutes East 1149.78 feet from a stone on the Southwest corner of said half quarter section, thence North 4 degrees 40 minutes East 343.0 feet; thence North 90 degrees 00 minutes West 127.0 feet; thence South 4 degrees 40 minutes West 343.0 feet; thence North 90 degrees 00 minutes East 127.0 feet to the point of beginning.

7. Beginning at a point on the South line of the East Half of the Northwest Quarter of Section 13, Township 14 North, Range 5 East, said point being North 90 degrees 00 minutes East 578.26 feet from a stone on the Southwest Corner of said half quarter section, thence North 04 degrees 40 minutes East 343.0 feet, thence North 90 degrees 00 minutes West 127.0 feet, thence South 04 degrees 40 minutes West 343.0 feet, thence North 90 degrees 00 minutes East 127.0 feet to the point of beginning.

CONTINUATION OF WARRANTY DEED

east, said point being north 90 degrees 00 minutes west 1044.70 feet from a stone on the southeast corner of said half quarter section, thence north 02 degrees 38 minutes east 200.0 feet, thence north 90 degrees 00 minutes east 140.0 feet, thence south 02 degrees 38 minutes west 200.0 feet, thence north 90 degrees 00 minutes west 140.0 feet to the point of beginning.

9. Beginning at a point on the south line of the west half of the northwest quarter of section 13, township 14 north, range 5 east, said point being north 90 degrees 00 minutes west 904.70 feet from a stone on the southeast corner of said half quarter section, thence north 02 degrees 38 minutes east 200.0 feet, thence north 90 degrees 00 minutes east 110.0 feet, thence south 02 degrees 38 minutes west 200.0 feet, thence north 90 degrees 00 minutes west 110.0 feet to the point of beginning.

10. Beginning at a point on the south line of the east half of the northwest quarter of section 13, township 14 north, range 5 east, said point being north 90 degrees 00 minutes east 197.28 feet from a stone on the southwest corner of said half quarter section, thence north 04 degrees 40 minutes east 200.0 feet; thence north 90 degrees 00 minutes west 147.28 feet; thence south 04 degrees 40 minutes west 200.00 feet; thence north 90 degrees 00 minutes east 147.28 feet to the point of beginning.

11. Beginning at a point on the south line of the east half of the northwest quarter of section 13, township 14 north, range 5 east, said point being north 90 degrees 00 minutes east 451.28 feet from a stone on the southwest corner of said half quarter section; thence north 04 degrees 40 minutes east 343.0 feet, thence north 90 degrees 00 minutes west 127.0 feet, thence south 04 degrees 40 minutes west 343.0 feet, thence north 90 degrees 00 minutes east 127.0 feet to the point of beginning.

12. Beginning at a point on the south line of the west half of the northwest quarter of Section 13, Township 14 North, Range 5 East, said point being North 90 degrees 00 minutes west 1234.70 feet from a stone on the southeast corner of said half quarter section, thence north 2 degrees 38 minutes east 200 feet; thence north 90 degrees 00 minutes east 140 feet; thence south 2 degrees 38 minutes west 200 feet; thence north 90 degrees 00 minutes west 140 feet to the point of beginning.

13. Beginning at a point on the south line of the east half of the northwest quarter of section 13, township 14 north, range 5 east, said point being north 90 degrees 00 minutes east 324.28 feet from a stone on the southwest corner of said half quarter section, thence north 04 degrees 40 minutes east 200.00 feet; thence north 90 degrees 00 west 127.0 feet; thence south 04 degrees 40 minutes west 200.0 feet; thence north 90 degrees 00 minutes east 127.0 feet to the point of beginning.

14. Starting at a point on the south line of the west half of the northwest quarter of section 13, township 14 north, range 5 east north 90 degrees 00 minutes west 1344.70 feet from a stone on the southeast corner of said half quarter section, thence north 2 degrees 38 minutes east 200 feet to the beginning point of this land description:

Continuing north 2 degrees 38 minutes east approximately 460 feet to the north line of the south half of the southwest quarter of the northwest quarter of said section; thence east parallel to the south line of the west half of the northwest

Shelby County Plan Commission

25 West Polk Street, Room 201

Shelbyville, Indiana 46176

(317) 392-6338

Executive Director

Amy L. Dillon, AICP

The following are stipulations attached to the approval of Ordinance 2009-08, an ordinance to rezone property at 7730 West 950 North from A1 to RE:

- a.) Should the petitioner desire to further subdivide the property, she shall proceed through the formal plat approval process.
- b.) The driveway serving all four lots shall be constructed to meet the following standards:
 1. Width: The ingress/egress drive shall be 20 feet wide.
 2. Materials: The ingress/egress easement shall consist of asphalt, concrete or other non-porous material approved by the Zoning Administrator.
 3. Distance to property line: The ingress/egress drive shall be at least five (5) feet from all property lines.
 4. Turn around: The ingress/egress drive shall include a loop or turn-around designed for a thirty (30) foot long vehicle at the end of the drive (at the boundary line of lot #3 and #4)
 5. Weight bearing: The ingress/egress drive shall have a surface and culverts (if needed) constructed to safely convey a 30,000-pound vehicle.
 6. Turning radius: The ingress/egress drive shall not have any curve or turn that restricts a forty-five foot long vehicle, a minimum forty-five (45) foot turning radius.
 7. Free of obstacles: The ingress/egress drive shall not have trees, canopies, sculpture, arches or similar natural or architectural features that would restrict a forty-five (45) foot long vehicle that is twelve (12) feet in height from being able to traverse the driveway from the public street to the turn-around or loop.
 8. Because the thirty-foot wide ingress/egress easement will not allow for the petitioner to comply with the provisions outlined in items 4 and 6 above, the petitioner shall have an engineer design the required driveway and submit the plans for the driveway to the Site Plan Review Committee for review and approval.
 9. The base of the ingress/egress drive shall be installed prior to the issuance of any building permits for any of the lots. The asphalt for the drive shall be laid within two years of the first building permit being obtained. The petitioner shall be required to post a two-year performance bond or letter of

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25 West Polk Street, Rm 201
Shelbyville, Indiana 46176
Phone 317.392.6338
Email: amy.dillon@co.shelby.in.us

Shelby County Plan Commission

May 28, 2009

To: Shelby County Commissioners
From: Amy L. Dillon, AICP
Executive Director

RE: Rezone 09-08: Nancy Brown

Gentlemen,

On behalf of the Shelby County Plan Commission, I certify to you the following report and recommendation concerning the application for approval of the rezone petition for the property located at 7730 West 950 North in Moral Township filed by Nancy Brown.

- 1.) The Plan Commission heard the application on May 27, 2009 at a public hearing held at the Shelby County Courthouse Annex Room 208A. Proper notice was given prior to the meeting to all interested parties and by publication in the Shelbyville News as required by ordinance. Seven members of the Plan Commission were present.
- 2.) The petitioner represented herself.
- 3.) Nancy Brown made a formal presentation regarding the petition to the Plan Commission.
- 4.) Prior to the meeting on May 27, 2009, the petitioner had presented the Plan Commission with the following information.
 - a.) Rezone Application.
 - b.) Property description and drawing of the property to be rezoned.
 - c.) Written Findings of Fact.
 - d.) Letter of Intent including the proposed written layout of a subdivision for the property.

- 5.) Public comment was solicited and considered by the Plan Commission.
 - a.) One individual spoke about the petition. She expressed concern about the drainage in the area and about the location of the road for the subdivision.

- 6.) The Plan Commission asked questions of the petitioner prior to making a motion on the petition.

- 7.) A motion was made to vote on the petition to forward a favorable recommendation to rezone the property from A1 to RE to the County Commissioners with the following stipulations:
 - a.) Should the petitioner desire to further subdivide the property, she shall proceed through the formal plat approval process.
 - b.) The driveway serving all four lots shall be constructed to meet the following standards:
 1. Width: The ingress/egress drive shall be 22 feet wide.
 2. Materials: The ingress/egress drive shall consist of asphalt, concrete or other material approved by the Zoning Administrator.
 3. Distance: The ingress/egress drive shall be at least 10 feet from the property line.
 4. The driveway shall include a loop for turning a vehicle at the driveway (lots #3 and #4).
 5. The driveway shall have a minimum width of 22 feet.
 6. The driveway shall have any necessary curves with a minimum radius of 20 feet.
 7. Free of trees, cars, etc. The driveway shall not have trees, cars, etc. that restrict a forty-five (45) foot long vehicle from being able to drive (12) feet in height from the driveway from the public street to the turn-around or loop.
 8. Because the thirty foot wide ingress/egress easement will not allow for the petitioner to comply with the provisions outlined in items 4 and 6 above, the petitioner shall have an engineer design the required driveway and submit the plans for the driveway to the Site Plan Review Committee for review and approval.
 9. The ingress/egress drive shall be constructed prior to any homes being constructed on any of the lots.

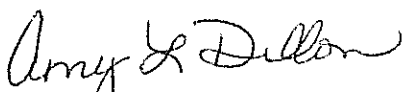
*Amy
Gluckman*

10. The petitioner shall replace the culvert pipe at the entrance to the subdivision when the driveway is upgraded to the above-referenced standards.

The Plan Commission approved the motion by a vote of 7 to 0; therefore a favorable recommendation is being forwarded to the County Commissioners.

If further information is required, please feel free to contact me at the enclosed location.

Respectfully,



Amy L. Dillon, AICP
Executive Director

Copy to: File
Nancy Brown

APPLICATION FOR REZONING
FINDINGS OF FACT BY THE SHELBY COUNTY PLAN COMMISSION

Applicant: Nancy Brown

Case #: RZ 09-08

Location: 7730 W 950 N

The Shelby County Plan Commission, having heard the application for rezoning described above and all opposition from parties claiming to be adversely affected thereby, has considered the request based on the provisions of Indiana law and forwards the following findings and recommendation to the Shelby County Commissioners:

1. The request is not (circle one) consistent with the Shelby County Comprehensive Plan because: the Comp Plan indicates that this area is best-suited for suburban residential
2. The request is not (circle one) consistent with the current conditions and the character of structures and uses in each zoning district because: there are numerous large lots along 950 N and Pumpkinvine Road, and the proposed lots complement these existing residential lots
3. The request is not (circle one) consistent with the most desirable use for which the land in each district is adapted because: the proposed lot sizes for the development meet the standards for lots zoned RE
4. The request is not (circle one) consistent with the conservation of property values throughout the jurisdiction because: developing the property for large lot single-family residential use will increase the property values in the area
5. The request is not (circle one) consistent with responsible growth and development because: it can be considered as in-fill development

Based on the findings described above, the Plan Commission hereby forwards a favorable unfavorable (circle one) recommendation to the County Commissioners this 27th day of May, 2009.

Shelby County Plan Commission

By: _____

President

Attest: _____

Secretary

ZONING APPLICATION

Shelby County Plan Commission
25 West Polk Street, Room 201
Shelbyville, IN 46176
P: 317.392.6338 F: 317.421.8365

For Office Use Only
Case #: _____
Hearing Date: _____
Fees: _____
Approved Denied

1. Applicant/Property Owner:

Applicant:
Name: Nancy E. Brown
Address: 7770 W. 950 N.
Fairland, INDIANA 46124
Phone Number: 317-442-7261
Fax Number: _____
E-mail Address: smiley.s2@comcast.net

Owner:
Name: SAME
Address: _____
Phone Number: _____
Fax Number: _____

2. Applicant's Attorney/Contact Person and Project Engineer (if any):

Attorney/Contact Person:
Name: _____
Address: _____
Phone Number: _____
Fax Number: _____

Project Engineer:
Name: ACCURA - Gibson & Going Inc
Address: 1105 W main st.
Greenfield Indiana 46140
Phone Number: 317-462-4484
Fax Number: 317-462-1305

3. Project Information:

General Location of Property (and address if applicable):
estimated 7730 W. 950 N.
The property just east of 7770 W. 950 N.

Current Use: agricultural
Current Zoning: PA1 - conservation agricultural
Proposed Use: residential lots
Proposed Zoning: RE - residential estate
Area (in acres): overall 30.6

4. Attachments:

- Affidavit & Consent of Property Owner (if applicable)
- Proof of ownership (copy of deed)
- Letter of Intent
- Site Plan - attached

- Vicinity Map - attached
- Application Fee - \$400.00
- Legal Description

The undersigned states the above information is true and correct as (s)he is informed and believes.

Signature of Applicant: Nancy E. Brown Date: 04/06/2009

State of Indiana)
County of Shelby) SS:

Subscribed and sworn to before me this 6th day of April, 2009.

Amanda L. Walterman, AMANDA L. WALTERMAN
Notary Public - Signed Printed

Residing in Decatur County My Commission expires May 11, 2016



Findings of Fact Rezoning Application

(Please provide a brief and concise written answer for each finding and each should be further discussed and serve as the basis for the petitioner's presentation before the commission at the hearing).

As required by Section 13.01 A 9 of the Shelby County Zoning Ordinance, in preparing and considering proposals to amend the text or maps of the Zoning Ordinance, the Shelby County Plan Commission and the Shelby County Board of County Commissioners shall pay reasonable regard to:

1. The Comprehensive Plan; Fits within the area designated as rural residents on the land
2. Current conditions and the character of current structures and in each district; The subject land is located adjacent to larger residential subdivision Pleasant Acres
3. The most desirable use for which the land in each district is adapted; because of the shape of the land and being close to existing residents not suitable for farming
4. The conservation of property values throughout the jurisdiction; the proposed use is of equal to or greater to Pleasant Acres
and
5. Responsible development and growth. follows the concept of "in-fill" set forth in the Comprehensive Plan

Furthermore, as required by Section 13.01 A 10 of the Shelby County Zoning Ordinance, all petitioners must share the burden of proving the following points to the satisfaction of the Commission:

1. that there was an error in the original zoning of the property when the ordinance was adopted or that the character of the area under consideration has changed either through technological advances or developmental changes. the area has changed through development of Residential Bld. lots
2. that a change of zoning will not be injurious or detrimental to the surrounding property values. Rezoning would be an asset to surrounding suburban properties
3. that if the change were granted it would promote orderly community growth. follows the concept of the "in-fill set forth in the Comprehensive Plan.

4. that the petition is not "spot zoning" which will confer a special benefit on a relatively small tract without commensurate benefit to the community. NO SPOT ZONING
proposed number of lots are 4 residential
single family homes.

Furthermore, as required by Section 13.01 A 11 of the Shelby County Zoning Ordinance, upon having satisfied itself that the petitioner has met the requirements of Section 10 above, the Commission shall then decide whether or not the proposed change meets the following requirements:

1. that the proposed change will not adversely affect the community. Already
platted, mistake in recorder's office did not
show platted lots

2. that the neighborhood plan will not be disrupted or destroyed. would be an
asset to surrounding suburban homes by
increased values to properties

3. that the topography, soil condition, and other physical features of the land involved is suitable for the proposed use and zoning change. is suitable for
residential rezoning change soil test shows
it will support 4 bld. lots

4. that the proposed land use will not have an adverse effect upon the surrounding land. adjacent to zoned residential and would be
in harmony with the area

5. that the proposed land use will be in general conformance with the County's Physical Development Plan. ideal opportunity for in-fill projects
and supports conservation of natural features

NOTICE OF PUBLIC HEARING
BY THE
SHELBY COUNTY PLAN COMMISSION

Notice is hereby given that the Shelby County Plan Commission will hold a Public Hearing on Wednesday
May 27, 2009
(Date of hearing)
at 7:00 pm in Conference Room 208A at the Shelby County Courthouse Annex to consider a petition
(Time)
by Nancy BROWN to allow the following:
(Name of applicant)

Approval to rezone the subject 30.6 acres from A1 to RE
in order to sell the 4 existing parcels as building lots.

(Type a brief description of request)

The property is located at estimated 7730 W. 950 N., on the N. side of County Road 950 N.
between County Road Pleasant Dr and County Road Pumpkinvine Road in section 13 of Moral Township and
also described by the following:

(INSERT LEGAL DESCRIPTION OF PROPERTY)

see attached

The application may be examined at the office of the Shelby County Plan Commission located in the Courthouse Annex at 25 West Polk Street, Room 201, Shelbyville, Indiana, 46176, Monday through Friday between the hours of 8:00 AM and 4:00 PM.

Written comments in support of or in opposition to the Petition may be filed with or mailed to the Plan Commission Director prior to the Public Hearing at the above address or filed with the Plan Commission Secretary at the Public Hearing. Said Public Hearing will be open to the public and any objectors will be heard at this meeting. Hearings may be continued from time to time as may be necessary.

Amy Dillon, AICP
Plan Commission
Representative

Executive Director
Title

To newspaper

**AFFIDAVIT OF NOTICE TO INTERESTED PARTIES
PUBLIC HEARING OF THE SHELBY COUNTY PLAN COMMISSION**

STATE OF INDIANA)
COUNTY OF SHELBY) SS:

I, _____, DO HEREBY CERTIFY THAT NOTICE TO INTERESTED
(Name of person mailing letters)

PARTIES OF THE PUBLIC HEARING BY THE SHELBY COUNTY PLAN COMMISSION, to consider the application
of: _____
(Name of person on application)

Requesting: Approval to rezone the subject 30.6 acre parcel from
A1 to RE in order to sell the existing 4 parcels as building lots

For Property Located at: estimated 7730 W. 950 N., Fairland

Was sent to the following owners and addresses as listed in the Plat Books of the Shelby County Auditor's Office (attach additional sheets if necessary):

<u>OWNERS</u>	<u>ADDRESS</u>
<u>See attached</u>	

And that said notices were sent on or before the 29th day of April, 2009, being at least ten (10) days prior to the date of the Public Hearing.

Nancy E. Brown
(Name of person mailing the letters)

State of Indiana)
County of Shelby) SS:

Subscribed and sworn to before me this 20th day of April, 2009.

Amanda L. Walterman Notary Public
Amanda L. Walterman Printed

Residing in Decatur County My Commission expires May 11, 2014



Name	Address	City	State	ZipCode
Adams, Camilla	7954 W Cherokee Ln	Fairland	IN	46126
Schoppel, Brian E & Linda C	7816 W 950 N	Fairland	IN	46126
Foltz, Elmer & Waneta	7818 W 950 N	Fairland	IN	46126
Luebkehan, William L & Lisa A	5512 Hickory Rd	Indianapolis	IN	46239
Cunningham, Beverly Sue	7722 W 950 N	Fairland	IN	46126
Walker, Luke M	7698 W 950 N	Fairland	IN	46126
Walker, Duane & Rebecca	7658 W 950 N	Fairland	IN	46126
Davis, Mike D & Monica A	7624 W 950 N	Fairland	IN	46126
Bowles, Billie F & Barbara N Trust of the Bowles Family	7586 W 950 N	Fairland	IN	46126
Hutchinson, Nicholas E & Tara A	7546 W 950 N	Fairland	IN	46126
Simmons, Edward M & E Joyce	7508 W 950 N	Fairland	IN	46126
Smith, Lorene K	7466 W 950 N	Fairland	IN	46126
Jefferson, Donald E & Julie	8003 W Sycamore Rd	Fairland	IN	46126
Harvel, Timmy & Tina M	7382 W 950 N	Fairland	IN	46126
Eacret, Damon & Lori	7390 W 950 N	Fairland	IN	46126
Corbett, Ronald D	7342 W 950 N	Fairland	IN	46126
Way, Randy	7374 W 950 N	Fairland	IN	46126
Mitchko, Paul David & Joyce A	7287 W 950 N	Fairland	IN	46126

Regional Roads

Highway:

no

yes

Regional Counties



County Boundary

Townships

Parcels

Water

Railroads

Roads

Highways

Drives, Alleys, etc



THINK





Regional Roads

Highway:
no

yes

Regional Counties



County Boundary

Townships

Parcels

Water

Railroads

Roads

Highways

Drives, Alleys, etc

West SR 44 Detour

Feature Name:

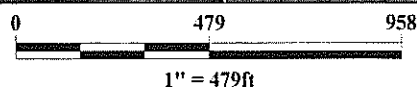
Roads to be Developed

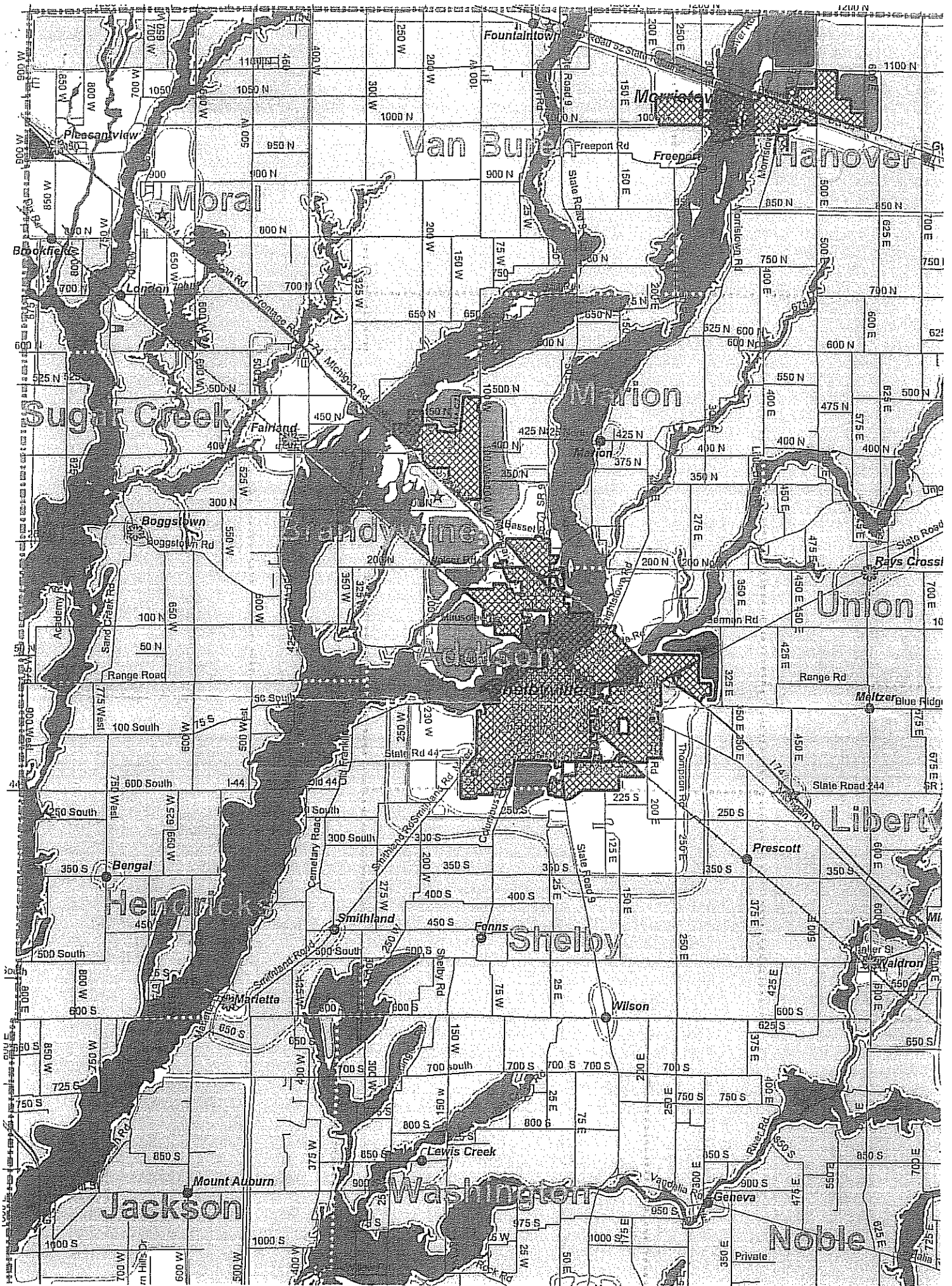
Churches

Youth Program Center

Addresses

THINK





LETTER OF INTENT

The current zoning of the property is agricultural.
The proposed use of the property is residential suburban
The proposed zoning of the property is RE.
The total subject area in acres is 30.6 which is divided
into 4 tracts.
Subject acreage to be developed for single-family
residential purposes.
I also have an interested party in one of the tracts to
build a Single-family residential home
The proposed use will fit in with surrounding area of
single-family residential homes.

*Thank-You
Nancy E. Brown*