

ZONING ORDINANCE NO. 2011-01

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 6501 North 325 West, 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 R1, Single-family Residential (approximately 1.00 acre).

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 subsection:

Land rezoned from "A1," Conservation Agricultural, to "R1," Single-family

Residential:


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 "R1" Single-family Residential:

See attached map and legal description of subject rezone tract.

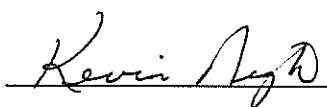
Section 3: Effective Date. This ordinance shall be in full force and effect from and after its adoption by the Board of Commissioners of Shelby County, Indiana.

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 All ordinances and parts of ordinances in conflict with the specific amendment herein are hereby repealed.

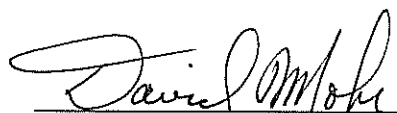
ADOPTED this 4 day of January, 2011, by a vote of 3 ayes and
0 nays of members of the Board of Commissioners of Shelby County, Indiana.



Tony Newton, President

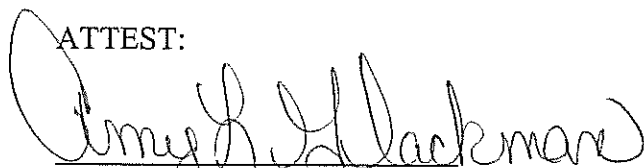


Kevin Nigh, Member



David Mohr, Member

ATTEST:



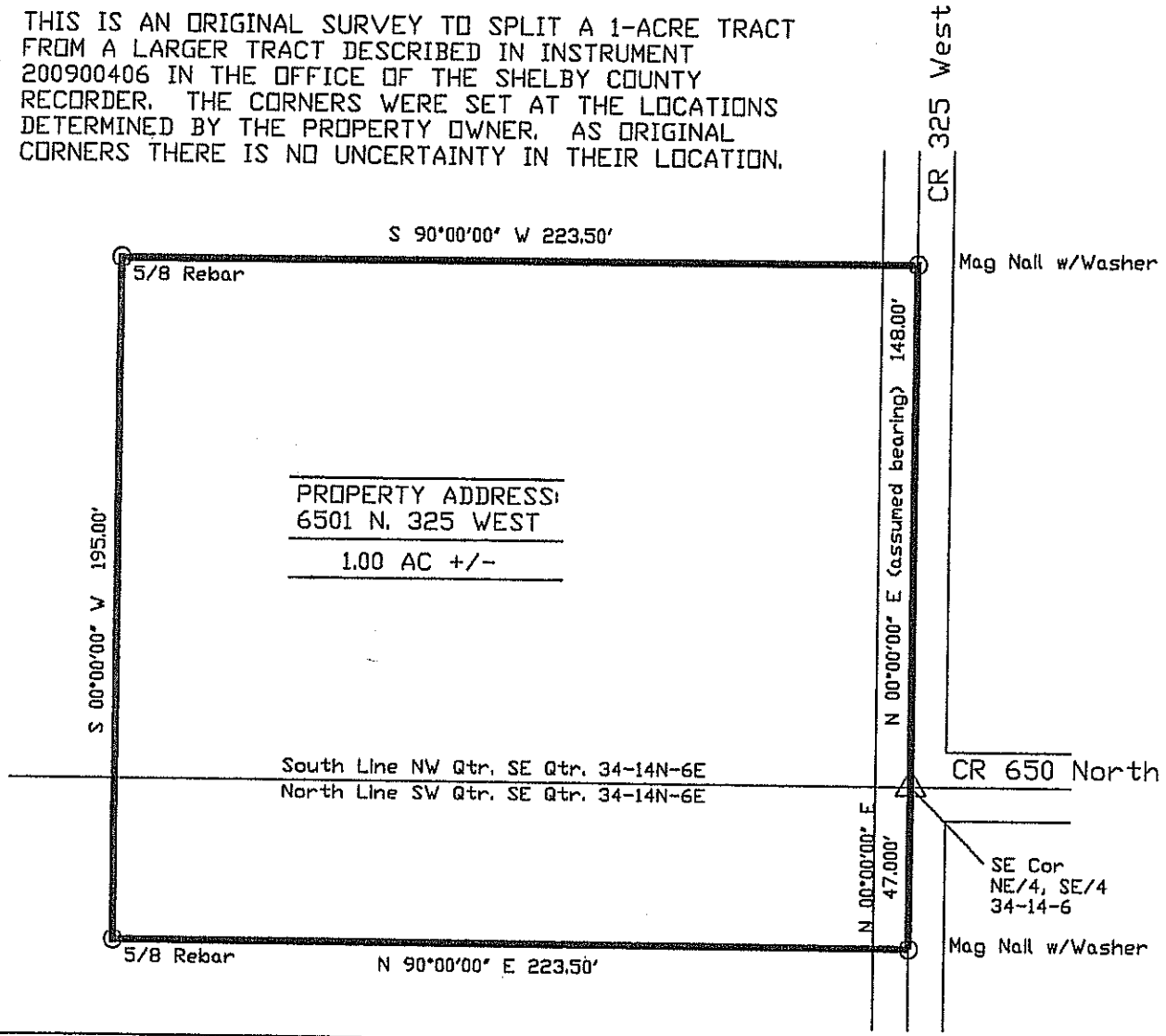
Amy Glackman, Auditor
Shelby County, Indiana

PREPARED FOR: TODD L. and ALLISON SPEGAL
 DATE: OCTOBER 20, 2010
 PROJECT NO. 2010-001DES

Kenneth Gregory Garrison
 10/20/2010



THIS IS AN ORIGINAL SURVEY TO SPLIT A 1-ACRE TRACT FROM A LARGER TRACT DESCRIBED IN INSTRUMENT 200900406 IN THE OFFICE OF THE SHELBY COUNTY RECORDER. THE CORNERS WERE SET AT THE LOCATIONS DETERMINED BY THE PROPERTY OWNER. AS ORIGINAL CORNERS THERE IS NO UNCERTAINTY IN THEIR LOCATION.

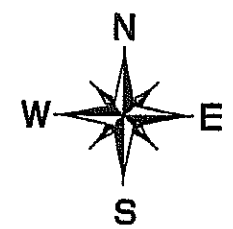
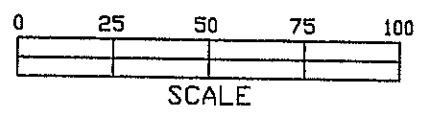


DESCRIPTION:
 PART OF THE NORTHWEST QUARTER AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 14 NORTH, RANGE 6 EAST, SHELBY COUNTY, INDIANA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER; THENCE NORTH 00°00'00" EAST (ASSUMED BEARING) 148.00 FEET ALONG THE EAST LINE OF SAID QUARTER-QUARTER SECTION TO A MAG NAIL WITH WASHER; THENCE SOUTH 90°00'00" WEST 223.50 FEET TO A 5/8-INCH REBAR; THENCE SOUTH 00°00'00" WEST 195.00 FEET TO A 5/8-INCH REBAR; THENCE NORTH 90°00'00" EAST 223.50 FEET TO A MAG NAIL WITH WASHER; THENCE NORTH 00°00'00" EAST 47.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.00 ACRES, MORE OR LESS.

SUBJECT TO THE RIGHT OF WAY FOR COUNTY ROAD 325 WEST ALONG THE ENTIRE EAST SIDE OF THE ABOVE-DESCRIBED TRACT.

GREG GARRISON, LS
 7393 W. 275 NORTH
 BOGGSTOWN, IN 46110
 317-835-7325
 317-371-3756 CELL



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

Shelby County Plan Commission

December 29, 2010

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

RE: Rezone 10-27: Todd and Allison Spegal

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 6501 North 325 West, Fairland in Moral Township filed by Todd and Allison Spegal.

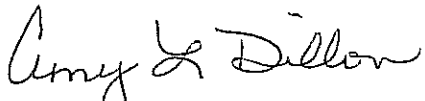
- 1.) The Plan Commission heard the application on December 28, 2010 at a public hearing held at the Shelby County Courthouse Annex Room 208A. Proper notice was given prior to the meeting to all interested parties and by publication in the Shelbyville News as required by ordinance. Seven members of the Plan Commission were present.
- 2.) The petitioners represented themselves.
- 3.) Todd Spegal made a formal presentation regarding the petition to the Plan Commission.
- 4.) Prior to the meeting on December 28, 2010, the petitioner had presented the Plan Commission with the following information.
 - a.) Rezone Application.
 - b.) Letter of Intent.
 - c.) Property description and aerial photo of the property to be rezoned.
 - d.) Survey drawing of the subject rezone acreage.
 - e.) Written Findings of Fact.

- 5.) Public comment was solicited and considered by the Plan Commission.
 - a.) No one made a formal public comment about the petition.
- 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 subject 1.00 +/- acres from A1 to R1 to the County Commissioners with the following stipulation:
 - a.) The petitioners' surveyor must contact the County Surveyor, Taylor Sumerford, to work out an issue with the survey and legal description for the proposed rezone acreage prior to the survey being recorded.

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
Todd and Allison Spegal