

ZONING ORDINANCE NO. 2011-03

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 990 West 400 South, Shelbyville, 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 Shelby 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 RE, Residential Estate, to a designation A2, Agricultural (approximately 5.00 +/- 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 “RE,” Residential Estate, to “A2,” Agricultural:

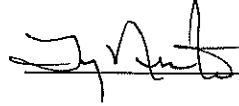
The following parcels of land and real estate located in Shelby Township, Shelby County, Indiana and particularly described herein being formerly zoned and shown on the Shelby Township Zoning District Map and lying in an “RE” Residential Estate district is hereby rezoned to “A2” Agricultural:

See attached legal descriptions of subject rezone tracts.

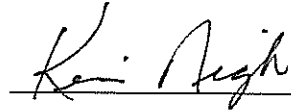
Section 3: Effective Date. This ordinance shall be in full force and effect from and after its adoption by the Board of Commissioners of Shelby County, Indiana.

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 All ordinances and parts of ordinances in conflict with the specific amendment herein are hereby repealed.

ADOPTED this 28 day of March 2011, by a vote of 3 ayes and
0 nays of members of the Board of Commissioners of Shelby County, Indiana.



Tony Newton, President

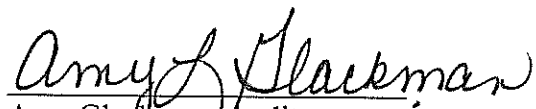


Kevin Nigh, Member



David Mohr, Member

ATTEST:



Amy Glackman, Auditor *ip*
Shelby County, Indiana

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Shelby County Plan Commission

March 22, 2011

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

RE: Rezone 11-02: James Shafer

Gentlemen,

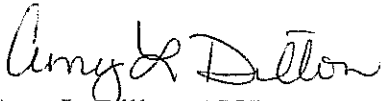
On behalf of the Shelby County Plan Commission, I certify to you the following report and recommendation concerning the application for approval of the rezone petition for the property located at 990 West 400 South in Shelby Township filed by James Shafer.

- 1.) The Plan Commission heard the application on March 22, 2011 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.
- 2.) The petitioner was represented by Attorney Gregg Graham.
- 3.) Gregg Graham made a formal presentation regarding the petition to the Plan Commission.
- 4.) Prior to the meeting on March 22, 2011, 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.) Written Findings of Fact.
- 5.) Public comment was solicited and considered by the Plan Commission.

- 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 5.00 acres from RE to A2 to the County Commissioners with the following stipulations:
 - a. At least two acres of the residential lot shall be pasture.
 - b. Only one horse shall be permitted for each pastured acre.
 - c. A maximum of four horses are permitted on the subject site if four acres of the property are pasture.
 - d. Fencing of pasture is the responsibility of this property's owner.

The Plan Commission approved the motion; therefore, a favorable recommendation is being forwarded to the County Commissioners.

Respectfully,



Amy L. Dillon, AICP
Executive Director

Copy to: File
Gregg Graham