

**ZONING ORDINANCE NO.**

2015-25

**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 known as 11346 N 700 E, Morristown. 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 Hanover 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 R1 – Single Family Residential (approximately 1.00 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 subsection:

**Land rezoned from “A1,” Conservation Agricultural, to “R1” Single Family**

**Residential:**

The following parcel of land and real estate located in Hanover Township, Shelby County, Indiana and particularly described herein being formerly zoned and shown on the Hanover Township Zoning District Map and lying in an “A1” Agricultural district is hereby rezoned to “R1” Single Family Residential:

**See attached 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Provisions.** All ordinances and parts of ordinances in conflict with the specific amendment herein are hereby repealed.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 6<sup>th</sup> day of July, 2015 by a vote of 3 ayes and 0

nays of members of the Board of Commissioners of Shelby County, Indiana.



Kevin Nigh, President

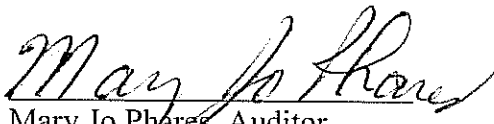


Don Parker, Member



Chris Ross, Member

ATTEST:



Mary Jo Phares, Auditor  
Shelby County, Indiana

# Boundary & Division Survey of the Rodenhuis Property

Part of the Southwest Quarter of Section 4, Township 14 North, Range 8 East, Hanover Township, Shelby County, Indiana.

Owner & Client: Jeffrey L. & Jane Covalt Rodenhuis, 317-442-2621  
Site Address: 10355 North, 700 East, Morristown IN 46161

**Parent Description of a 7.002 acre tract owned by Jeffrey L. & Jane Covalt Rodenhuis, Described in Instrument #2010003015, (Being Tract #1, of the Spegal Farms Survey, dated 4-5-2010.)**

A part of the North half of the Southwest quarter of Section 4, Township 14 North, Range 8 East, in Hanover Township, Shelby County, Indiana, Being more particularly described as follows:

Commencing at the Northwest corner of the said half-quarter section, said point being the POINT OF BEGINNING; thence South 89 degrees 13 minutes 02 seconds East, along the North line of the said half-quarter section a distance of 327.33 feet to a 5.8" capped rebar stamped "Powell 29800024" (hereinafter called a capped rebar); thence South 0 degrees 06 minutes 01 second West, parallel to the West line of the said half-quarter section a distance of 931.38 feet to a capped rebar; thence North 89 degrees 43 minutes 39 seconds West, parallel to the South line of the said half-quarter section a distance of 327.33 feet to a mag nail set on the West line of the said half-quarter section; thence North 0 degrees 06 minutes 01 second East, along the West line of the said half-quarter section a distance of 932.20 feet to the POINT OF BEGINNING; said described tract containing 7.002 acres, more or less and being subject to the Right-of-way of County Road 700 East and also all other right-of-ways, easement or restrictions.

**New description for Tract #1A, being a 1.000 acre split from the 7.002 acre tract owned by Jeffrey L. & Jane Covalt Rodenhuis, Described in Instrument #2010003015 per this survey.**

A part of the North half of the Southwest quarter of Section 4, Township 14 North, Range 8 East, in Hanover Township, Shelby County, Indiana, Being more particularly described as follows:

Commencing at the Northwest corner of the said half-quarter section; thence South 0 degrees 06 minutes 01 second West, along the West line of the said half-quarter section a distance of 762.20 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 43 minutes 39 seconds East, parallel to the South line of the said half-quarter section a distance of 256.24 feet to a 5.8" capped rebar stamped "Powell 29800024" (hereinafter called a capped rebar); a capped rebar; thence North 89 degrees 43 minutes 39 seconds West, parallel to the West line of the said half-quarter section a distance of 170.00 feet to a capped rebar; thence North 0 degrees 06 minutes 01 second East, along the West line of the said half-quarter section a distance of 170.00 feet to a capped rebar; thence North 89 degrees 43 minutes 39 seconds West, parallel to the South line of the said half-quarter section a distance of 256.24 feet to a mag nail with a Powell washer set on the West line of the said half-quarter section a distance of 256.24 feet to a mag nail with a Powell washer set on the West line of the said half-quarter section a distance of 170.00 feet to the POINT OF BEGINNING; said described tract containing 1.000 acres, more or less and being subject to the Right-of-way of County Road 700 East and also all other right-of-ways, easement or restrictions.

**New description for Tract #1B, being the 6.002 acre remainder of a 7.002 acre tract owned by Jeffrey L. & Jane Covalt Rodenhuis, Described in Instrument #2010003015 per this survey.**

A part of the North half of the Southwest quarter of Section 4, Township 14 North, Range 8 East, in Hanover Township, Shelby County, Indiana, Being more particularly described as follows:

Commencing at the Northwest corner of the said half-quarter section, said point being the POINT OF BEGINNING; thence South 89 degrees 13 minutes 02 seconds East, along the North line of the said half-quarter section a distance of 327.33 feet to a 5.8" capped rebar stamped "Powell 29800024" (hereinafter called a capped rebar); thence South 0 degrees 06 minutes 01 second West, parallel to the West line of the said half-quarter section a distance of 931.38 feet to a capped rebar; thence North 89 degrees 43 minutes 39 seconds West, parallel to the South line of the said half-quarter section a distance of 327.33 feet to a capped rebar; thence North 0 degrees 06 minutes 01 second East, parallel to the West line of the said half-quarter section a distance of 170.00 feet to a capped rebar; thence North 89 degrees 43 minutes 39 seconds West, parallel to the South line of the said half-quarter section a distance of 256.24 feet to a mag nail set on the West line of the said half-quarter section; thence North 0 degrees 06 minutes 01 second East, along the West line of the said half-quarter section a distance of 762.20 feet to the POINT OF BEGINNING; said described tract containing 6.002 acres, more or less and being subject to the Right-of-way of County Road 700 East and also all other right-of-ways, easement or restrictions.

### Surveyor's Report.

This report is in accordance with Title 665, Article 1.1, Chapter 12, Sections 1 through 34, of the Indiana Administrative Code, the following observations and opinions are submitted regarding the various uncertainties in the locations of the lines and corners established on this survey as a result of:

- Availability and condition of the reference monuments.
  - Occupation or possession lines.
  - Clarity or ambiguity of the record description used and / or adjointer's description.
- This survey falls within the classification of a Suburban survey and therefore has a Relative position accuracy of 0.13 feet plus 100 parts per million.

### Purpose of the survey:

The purpose of this survey is to split off a 1.000 acre tract around the existing homestead from a 7.002 acre tract owned by Jeffrey L. & Jane Covalt Rodenhuis, Described in Instrument #2010003015 per the owner instructions. The field work was performed on May 28, 2015.

### Availability and condition of the reference monuments:

- The following is a list of corner locations for the Southwest quarter of Section 4, Township 14 North, Range 8 East per this survey:
- Northwest corner of the Southwest quarter of section 4, found a mag nail at the surface over a stone per the County ties.
  - Northeast corner of the Southwest quarter of section 4, found and held a wooden corner post per a previous survey for Spegal Farms, dated 4-5-2010, also being held by a previous survey by Taylor Sumnerford, dated 8-11-1999. The said post was held to be the best evidence of the called for stone per the old Webster section corner records. The corner post was found to be 7.5" South & 4.5"-10.5" West of the Bearing-Bearing Intersection, therefore there is that amount of uncertainty with this corner.
  - Southeast corner of the Southwest quarter of section 4, found a County Monument at the surface.
  - Southeast corner of the Southwest quarter of section 4, found a PK. Nail over a stone per the County ties.
  - Northeast corner of the Northwest quarter of section 4, found a concrete corner post on the South side of the road ~20' East of the North line of the said section. The calculated split and the record average closing were the two locations used to calculate the bearing-bearing intersection at the center of the section.
  - Northeast corner of the Southeast quarter of section 4, found a 5.8" rebar below the surface. A stone is called for per the county ties. The rebar was used to calculate the bearing-bearing intersection at the center of the section.
  - There were stones set at the follows corner referenced per the Shelby County grid, being per the old stone records C.D.O.N.M.R.L.S.Y. There were no stones found at the said locations.
  - All monuments were found or set as indicated on the survey plat or within this report.

### Occupation or possession lines:

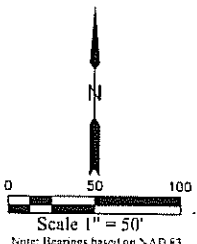
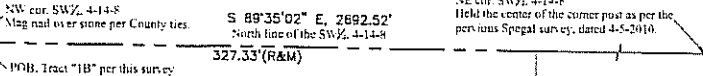
County Road 700 East is along the West side and the other lines were established per the owners instructions. The occupation or possession lines found per this survey are as indicated on the survey plat and within this report.

### Clarity or ambiguity of the record description used and / or adjointer's description:

No ambiguities were found within the record descriptions used.

### Relative position accuracy of Measurements:

This survey falls within the classification of a Suburban survey and therefore has a Relative position accuracy of 0.13 feet plus 100 parts per million plus the above stated uncertainty.



- Note: Bearings based on NAD 83, Indiana East, State plane Coordinates
- Legend
- Section Corner
  - Set X" Capped Rebar
  - Set Mag Nail
  - Found Monument

*Rezone Description*

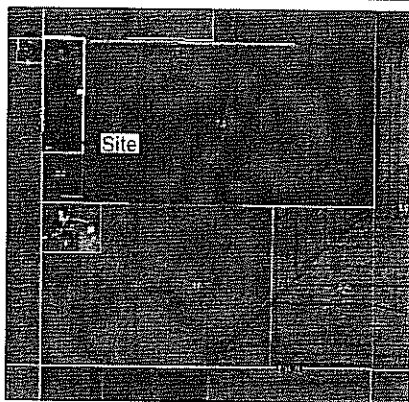
"I affirm, under the penalties for perjury, that I have taken reasonable care to reduce each social security number in this document, unless required by law."

*Jeffrey P. Powell*

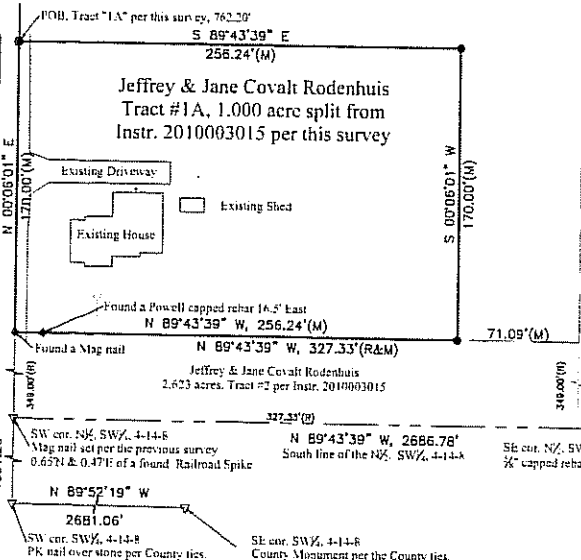
I hereby certify that this Plat is true and accurate to the best of my knowledge as surveyed by me.

*Jeffrey P. Powell*

Jeffrey P. Powell  
Registered Land Surveyor  
No. 29800024  
Certified: June 13, 2015



Jeffrey & Jane Covalt Rodenhuis  
Instr. 2010003015  
7.002 acres, Tract #1 per deed  
-1.000 acre Split per this survey  
6.002 acre Remainder, Tract #1B per this survey



**Powell Land Surveying LLC**  
Jeffrey P. Powell, PLS  
4634 North, 575 East, Shelbyville, IN 46176  
Office 765-763-6147, Fax 765-763-0122, Cell 317-494-6073  
Email: powellandsurveying@msn.com