

**ZONING ORDINANCE NO.** 2015-35

**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 7239 S Columbus Road. 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 Washington 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 RE –Residential Estate (approximately 2.52 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 “RE” Residential**

**Estate:**

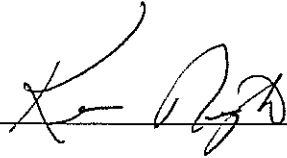
The following parcel of land and real estate located in Washington Township, Shelby County, Indiana and particularly described herein being formerly zoned and shown on the Washington Township Zoning District Map and lying in an “A1” Agricultural district is hereby rezoned to “RE” Residential Estate:

**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 19 day of October, 2015 by a vote of 3 ayes and  
0 nays of members of the Board of Commissioners of Shelby County, Indiana.



Kevin Nigh, President

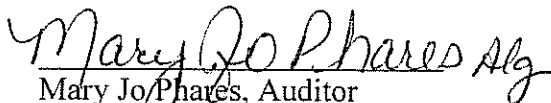


Don Parker, Member



Chris Ross, Member

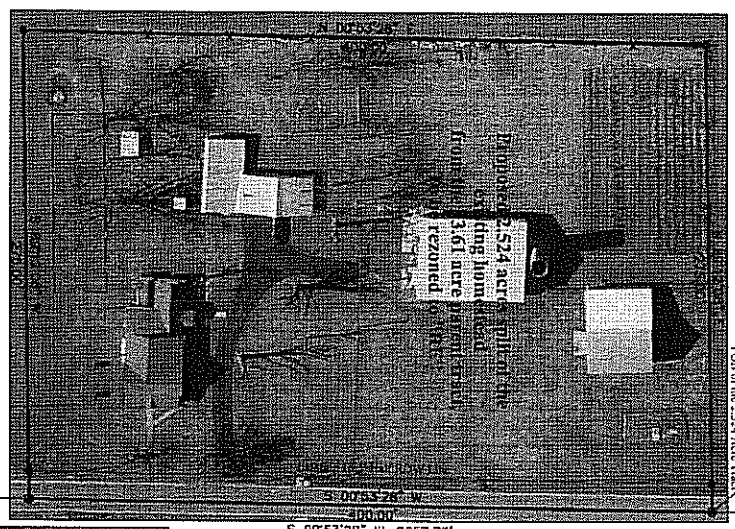
ATTEST:



Mary Jo Phares, Auditor  
Shelby County, Indiana

8.33 Chain (81)  
 NE Cor. of NW/4, 12.114  
 found a Railroad spike 127' below  
 the surface per the County file.

00°53'28" W, 948.79'



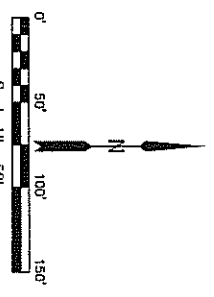
Claude Smith  
 Instrument #2008001533  
 53.61 acres per deed  
 53.24 acres per Shelby County  
 Less 2.524 acres split  
 50.716 acre remainder  
 Zoned "A1"

Note: the boundary of the 50.716 acre remainder  
 was not surveyed per this survey.

19.52 Chain (9)

SE Cor. of NW/4, 12.114  
 found a Railroad spike at the  
 corner per the County file.

County Road 150 East, Columbus Road  
 00°53'28" W, 2657.73'

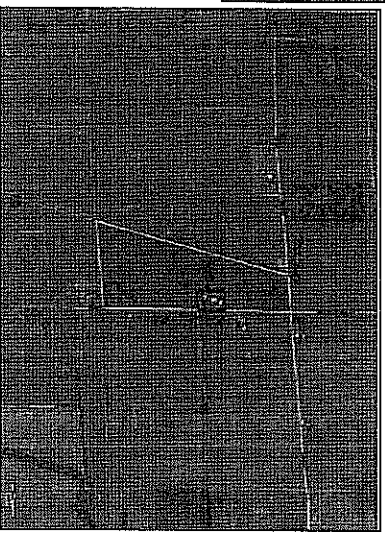


Scale 1" = 50'  
 Note: Readings based on NAD 83,  
 Indiana East State Plane Coordinates

- Legend
- Section Corner
  - Set 1/2" Capred Rebar
  - Set 1/2" Nag Nail
  - Found Monument

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

*Jeffrey P. Powell*  
 Registered Land Surveyor  
 No. 29800024  
 Certificate: September 1, 2015



# Boundary and Division Survey of the Lands owned by Claude E. Smith

A part of the East half of the Northwest Quarter Section 12, Township 11 North,  
 Range 6 East, Washington Township, Shelby County Indiana  
 Owner: Claude E. Smith, Site Address: 7239 South Columbia Road, Shelbyville, IN. Client: Patrick L. Hatcher

Parent description for the 53.61 acre tract owned by Claude Smith, described in Instrument  
 #2008001533.

Tract Two [Parcel No. 7314412-100-006-009-021]  
 Beginning at the southeast corner of the East Half of the Northwest Quarter of Section 12, in  
 Township 11 North, in Range 6 East, and running thence west 19 chains and 52 links; thence north 8  
 chains; thence east 2 chains and 9 links to the center of the Pittsburgh, Cincinnati, Chicago and St.  
 Louis Railroad; thence northwesterly along the middle of said Railroad to the north line of said  
 Quarter Section; thence east 2 chains and 33 links to the northeast corner of said East Half of said  
 Quarter Section; and thence east 1/2 chain and 15 links to the point of beginning; containing  
 53.61 acres, more or less.

New description for the proposed 2.524 acre split from the land owned by Claude Smith,  
 described in Instrument #2008001533.

A part of the East half of the Northwest Quarter Section 12, Township 11 North, Range 6 East,  
 Washington Township, Shelby County Indiana, being more particularly described as follows:  
 Commencing at the Northeast corner of the said half-quarter section, thence South 00 degrees 53  
 minutes 28 seconds West (bearing based on NAD 83, Indiana East, State Plane Coordinates), along  
 the East line of the said half-quarter section a distance of 748.79 feet to a wood nail with a "V" well  
 washer, said point being the point of beginning of the tract herein described; thence continuing South  
 00 degrees 53 minutes 28 seconds West along the said line a distance of 400.00 feet to a wood nail  
 with a "V" well washer; thence South 87 degrees 12 minutes 00 seconds West a distance of 275.00 feet  
 to a "V" well washer; thence North 00 degrees 53 minutes 28 seconds East, parallel to the East  
 line of the said half-quarter section a distance of 400.00 feet to a "V" well washer; thence North  
 00 degrees 12 minutes 00 seconds East a distance of 725.00 feet to the point of beginning; containing  
 2.524 acres, more or less and being subject to any and all easements, rights of way and restrictions.

**Surveyor's Report:**  
 This report is in accordance with Title 66.5, 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 location 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 adjoining description. This survey falls within the  
 classification of a Suburban survey and therefore has a Relative position accuracy of 0.17 feet plus  
 100 parts per million.  
 Purpose of the survey:  
 The purpose of this survey is to split off a 2.524 acre tract with the existing lines read from the  
 lands owned by Claude Smith, described in Instrument #2008001533, being per the owner's  
 instructions. The field work was performed on August 5, 2015 and other dates.

**Availability and condition of the reference monuments:**  
 The monuments used to establish the East line of the Northwest quarter of Section 12 are shown on  
 the Plat. The uncertainty associated with the said corners are represented on the herein drawn survey  
 Plat and within this report by *Accuracy vs. Observed vs. Calculated*.

**Occupation or possession lines:**  
 The existing fence lines along the front and West lines were used to establish the new boundary  
 lines and the South line was held to be parallel to the North line and approximately 15' South of the  
 South edge of the existing septic system per the owner's instructions. No other occupation was used  
 per this survey. The found occupation lines per this survey are as noted on the survey Plat.

**Clarity or ambiguity of the record description used and/or adjoining's description:**  
 No ambiguities were found per this survey.

**Relative position accuracy of Measurements:**  
 This survey falls within the classification of a Rural survey and therefore has a Relative position  
 accuracy of 0.17 feet plus 100 parts per million, plus the above stated uncertainties.

Note: the proposed subdivision is not located in a "Zone "A", but is located in a "Zone "X". Flood plain  
 per the current FEMA map 18145C0195C, dated 11-5-2014.

Note: the 50.716 acre remainder of the Parent 53.24 acre lands will remain zoned "A1" and the new  
 2.524 acre split is to be rezoned to "ME" per this survey.

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

**Powell Land Surveying LLC**

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 Email: powell@landsurveyingllc.com