

**ORDINANCE NO. 2022 - / 2**

**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 located south of and adjoining 10303 N 150 E, Morristown, Van Buren Township. 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 Van Buren 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 A2 (Agricultural) (15.117-acres). A petition was filed by Andrew Fansler on behalf of Martin Farms Indiana Two, LLC on February 22, 2022 under Case No. RZ 22-06, to amend the zoning map of Shelby County, Indiana to change the zoning of said real estate.

**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:

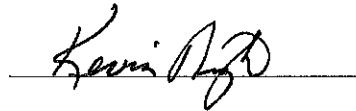
**Land rezoned from “A1,” Conservation Agricultural, to “A2” Agricultural:**

The parcel of land and real estate located in Van Buren Township, Shelby County, Indiana and particularly described by the attached legal description Exhibit "A" and shown on the attached map, Exhibit "B", being formerly zoned and shown on the Van Buren Township Zoning District Map as lying in an "A1" Conservation Agricultural District is hereby rezoned to "A2" Agricultural.

**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 16<sup>th</sup> day of May 2022 by a vote of 3 ayes and 0 nays of members of the Board of Commissioners of Shelby County, Indiana.



Kevin Nigh, President

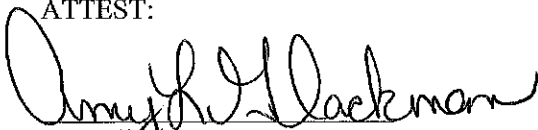


Don Parker, Member



Chris Ross, Member

ATTEST:



Amy Glackman  
Shelby County, Indiana

**EXHIBIT A**

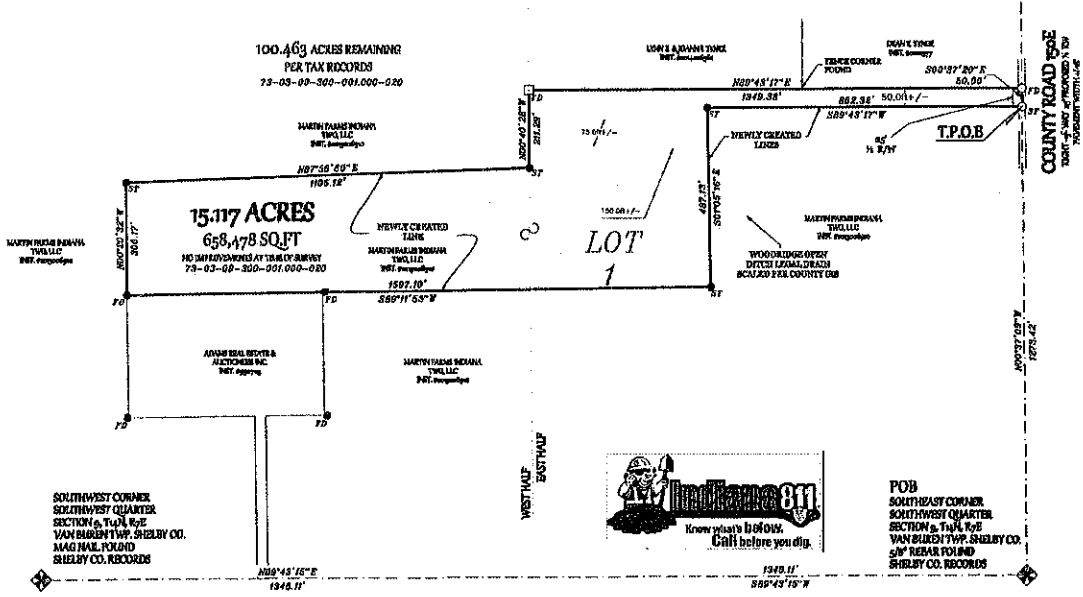
BEING PART OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 14 NORTH, RANGE 7 EAST, VAN BUREN TOWNSHIP, SHELBY COUNTY, INDIANA AND BEING PART OF THE LANDS CONVEYED TO THE MARTIN FARMS INDIANA TWO, LLC (INST#2013006910), RECORDS OF THE RECORDER'S OFFICE OF SHELBY COUNTY, INDIANA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8" REBAR FOUND MARKING THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE WITH THE EAST LINE OF SAID QUARTER SECTION N00°37'09"W FOR A DISTANCE OF 1273.42 FEET TO A MAG NAIL SET ON THE APPROXIMATE CENTERLINE OF COUNTY ROAD 150E; THENCE LEAVING SAID ROAD AND SAID EAST LINE WITH NEWLY CREATED LINES FOR THE FOLLOWING SIX (6) COURSES AND DISTANCES:

- 1) S89°43'17"W FOR A DISTANCE OF 862.32 FEET TO A REBAR SET;
- 2) S01°05'16"E FOR A DISTANCE OF 487.13 FEET TO A REBAR SET;
- 3) S89°11'53"W FOR A DISTANCE OF 1597.10 FEET TO A 5/8" REBAR FOUND, PASSING A 5/8" REBAR FOUND 1054.23 FEET;
- 4) N00°20'32"W FOR A DISTANCE OF 306.17 FEET TO A REBAR SET;
- 5) N87°56'50"E FOR A DISTANCE OF 1105.12 FEET TO A REBAR SET TO THE SIXTEENTH LINE;
- 6) THENCE ALONG SAID SIXTEENTH LINE N00°40'28"W FOR A DISTANCE OF 211.29 FEET TO A 12" CONCRETE POST FOUND; THENCE LEAVING SAID SIXTEENTH LINE WITH THE SOUTH LINE OF THE LANDS CONVEYED TO LYNN E. & JOANN I. TYNER (INST. #2014006362) AND DEAN E. TYNER (INST. #0100377) RESPECTIVELY, N89°43'17"E FOR A DISTANCE OF 1349.38 FEET TO A MAG NAIL FOUND ON THE APPROXIMATE CENTERLINE OF COUNTY ROAD 150 E AND THE EAST LINE OF SAID QUARTER SECTION; THENCE ALONG SAID ROAD AND EAST LINE S00°37'20"E FOR A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 15.117 ACRES MORE OR LESS, AND BEING SUBJECT TO ALL LEGAL RIGHTS--OF--WAY AND EASEMENTS OF RECORD.

**EXHIBIT B**



# Shelby County Plan Commission

25 West Polk Street, Room 201

Shelbyville, Indiana 46176

(317) 392-6338

Planning Director

Desiree Calderella, AICP

## CERTIFICATION OF RECOMMENDATION

April 26, 2022

To: Shelby County Commissioners

From: Desiree Calderella, AICP


Planning Director

**RE: RZ 22-06 – Martin Farms Rezoning from A1 (Conservation Agricultural) to A2 (Agricultural).**

In accordance with IC 36-7-4-605 and IC 36-7-4-608, the Shelby County Plan Commission hereby certifies the following recommendation to the Shelby County Commissioners with regard to amending the zoning maps of the Shelby County Unified Development Ordinance:

On April 26, 2022, the Plan Commission voted 8-0 to grant a **FAVORABLE** recommendation to rezone 15.117 acres of property located south of and adjoining 10303 N 150 E, Morristown from A1 (Conservation Agricultural) to A2 (Agricultural) to allow for a 1-lot Simple Subdivision.

Respectfully,



Desiree Calderella, AICP

Planning Director

Shelby County Plan Commission