

ORDINANCE NO. 2023 -19

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 on the east side of CR 250 E, generally east of the intersection of CR 750 N, Hanover 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 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 A2 (Agricultural) (31.217 acres). A petition was filed by Barry J & Julia R Grant on May 8, 2023 under Case No. RZ 23-13, 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 Hanover 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 Hanover Township Zoning District Map as lying in an "A1" Conservation Agricultural District is hereby rezoned to "A2" Agricultural.

This zoning ordinance amendment is subject to and contingent upon Commitments Concerning the Use and Development of Real Estate, a copy of which is attached hereto as "Exhibit C".

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.

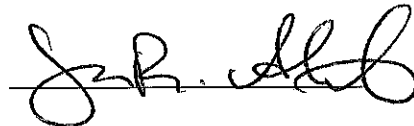
ADOPTED this 12th day of June, 2023 by a vote of 3 ayes and 0 nays of members of the Board of Commissioners of Shelby County, Indiana.



Don Parker, President

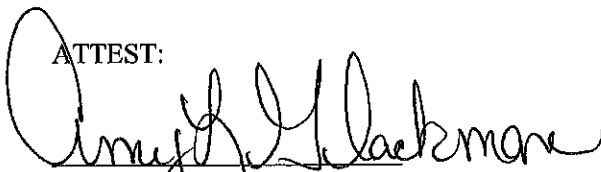


Kevin Nigh, Member



Jason Abel, Member

ATTEST:



Amy Glackman
Shelby County, Indiana

EXHIBIT A

Description of Lot #1 being split from Tract #8 per this subdivision.

A part of the Northeast Quarter of Section 27, in Township 14 North, Range 7 East of the Second Principle Meridian in Hanover Township, Shelby County, Indiana, being created from a survey (Job # 7-2023) by Jeffery Powell and being more particularly described as follows:

Commencing at the Southwest corner of the Northeast quarter of the said Section 27, said point being a boat spike per the Shelby County ties,
thence North 00 degrees 50 minutes 50 seconds West (Bearings based on NAD 83, Indiana East, State plane Coordinates) along the West line of the said quarter section a distance of 1576.99 feet to a mag nail with a Powell washer, said point being the point of beginning of the tract herein described;
thence continuing North 00 degrees 50 minutes 50 seconds West along the said line a distance of 375.00 feet to a mag nail marking the Southwest corner of a 10.65 acre tract of land described in Instrument 2021097961 and also being the Northwest corner of the Parent Tract #8 being a 159.241 acre tract described in Instrument 2023001363;
thence North 89 degrees 42 minutes 19 seconds East along the boundary line of the said tracts a distance of 330.00 feet to a Coor's capped rebar marking a corner of the said tracts;
thence North 00 degrees 10 minutes 18 seconds East along the boundary line of the said tracts a distance of 82.50 feet to a Powell capped rebar marking a corner of the said tracts;
thence North 89 degrees 42 minutes 19 seconds East along the boundary line of the said tracts a distance of 518.53 feet to a Powell capped rebar;
thence South 00 degrees 50 minutes 50 seconds East a distance of 457.50 feet to a Powell capped rebar;
thence South 89 degrees 42 minutes 19 seconds West a distance of 850.00 feet to the point of beginning, **Containing 8.301 acres** more or less and being subject to any and all easements, right of ways and restrictions.

Description of Lot #2 being split from Tract #9 per this subdivision.

A part of the Southeast Quarter of Section 27, in Township 14 North, Range 7 East of the Second Principle Meridian in Hanover Township, Shelby County, Indiana, being created from a survey (Job # 7-2023) by Jeffery Powell and being more particularly described as follows:

Commencing at the Northwest corner of the Southeast quarter of the said Section 27, said point being a boat spike per the Shelby County ties,
thence South 01 degrees 05 minutes 17 seconds East (Bearings based on NAD 83, Indiana East, State plane Coordinates) along the West line of the said quarter section a distance of 230.73 feet to a mag nail with a Powell washer marking the Northwest corner of Parent Tract #9 being a 151.576 acre tract described in Instrument 2023001368, said point also being the point of beginning of the tract herein described;
thence North 89 degrees 58 minutes 33 seconds East along the North line of the said tract a distance of 1200.00 feet to a Powell capped rebar;
thence South 01 degrees 05 minutes 17 seconds East a distance of 425.00 feet to a Powell capped rebar;
thence South 89 degrees 58 minutes 33 seconds West a distance of 1200.00 feet to a mag nail with a Powell washer set on the West line of the said quarter section;
thence North 01 degrees 05 minutes 17 seconds West along the West line of the said quarter section a distance of 70.47 feet to a mag nail marking the Southwest corner of a 1.12 acre tract described in Deed Record Book 281, Page 34, the next five courses are along the boundary of the said 1.12 acre tract;
(1) thence North 89 degrees 53 minutes 04 seconds East a distance of 264.80 feet to a capped rebar marking the corner of the said 1.12 acre tract;
(2) thence North 00 degrees 56 minutes 52 seconds West a distance of 184.05 feet to a capped rebar marking the corner of the said 1.12 acre tract;
(3) thence South 89 degrees 53 minutes 04 seconds West a distance of 138.00 feet to a capped rebar marking the corner of the said 1.12 acre tract;
(4) thence South 01 degrees 05 minutes 16 seconds East a distance of 72.10 feet to a capped rebar marking the corner of the said 1.12 acre tract;
(5) thence South 89 degrees 53 minutes 04 seconds West a distance of 127.25 feet to a mag nail on the West line of the said quarter section marking the corner of the said 1.12 acre tract;
thence North 01 degrees 05 minutes 17 seconds West along the West line of the said quarter section a distance of 242.57 feet to the point of beginning, **Containing 10.797 acres** more or less and being subject to any and all easements, right of ways and restrictions.

Description of Lot #3 being split from Tract #9 per this subdivision.

A part of the Southeast Quarter of Section 27, in Township 14 North, Range 7 East of the Second Principle Meridian in Hanover Township, Shelby County, Indiana, being created from a survey (Job # 7-2023) by Jeffery Powell and being more particularly described as follows:

Commencing at the Northwest corner of the Southeast quarter of the said Section 27, said point being a boat spike per the Shelby County ties,
thence South 01 degrees 05 minutes 17 seconds East (Bearings based on NAD 83, Indiana East, State plane Coordinates) along the West line of the said quarter section a distance of 1877.39 feet to a mag nail with a Powell washer, said point being the point of beginning of the tract herein described;
thence North 89 degrees 58 minutes 33 seconds East a distance of 1320.00 feet to a Powell capped rebar;
thence South 01 degrees 05 minutes 17 seconds East a distance of 400.00 feet to a Powell capped rebar set on the South line of the Parent Tract #9 being a 151.576 acre tract described in Instrument 2023001368;
thence South 89 degrees 58 minutes 33 seconds West along the South line of the said tract a distance of 1320.00 feet to a mag nail with a Powell washer set on the West line of the said quarter section at the Southwest corner of the said tract;
thence North 01 degrees 05 minutes 17 seconds West along the West line of the said quarter section a distance of 400.00 feet to the point of beginning, **Containing 12.119 acres** more or less and being subject to any and all easements, right of ways and restrictions.

EXHIBIT B

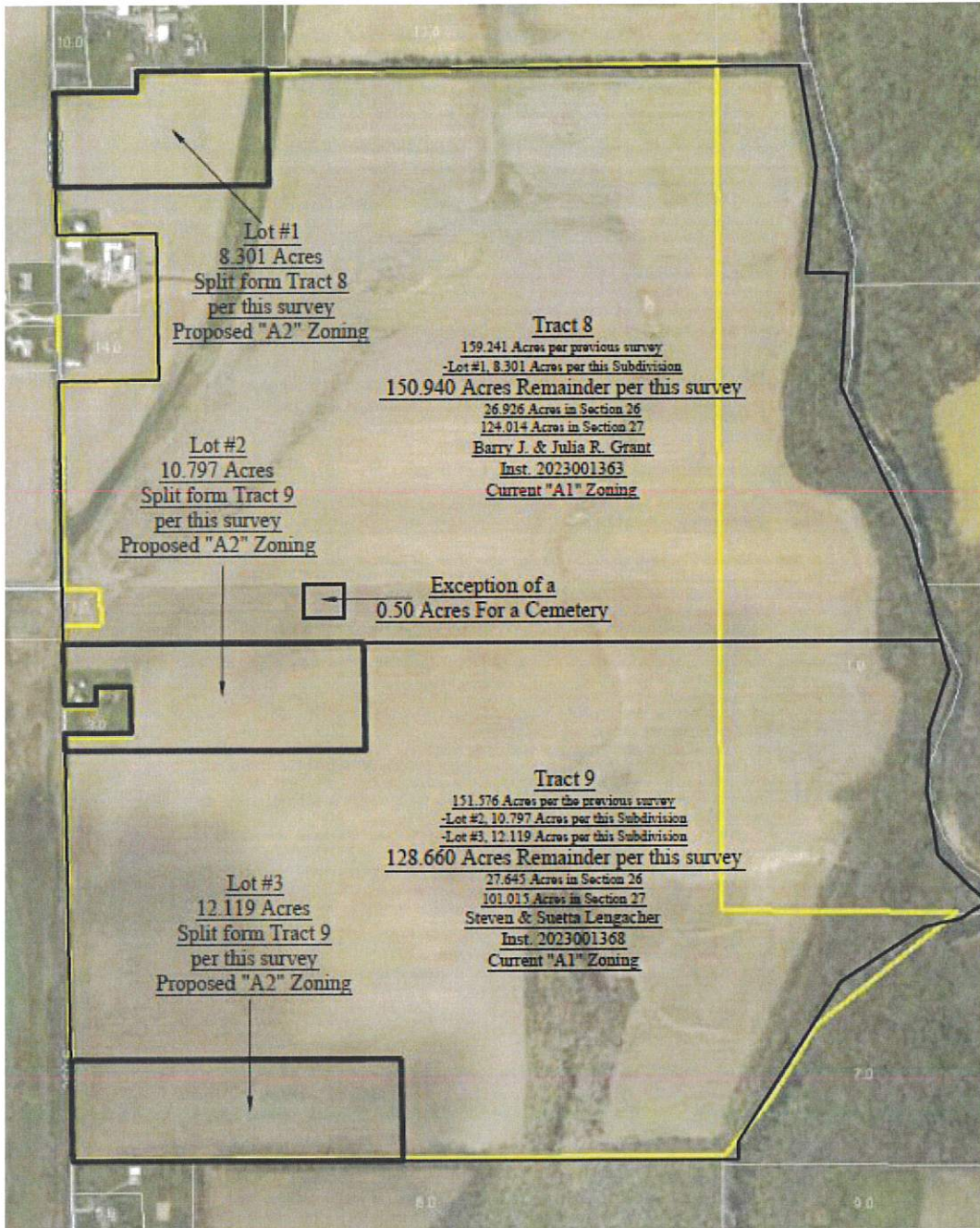


EXHIBIT C

Commitments Concerning the Use and Development of Real Estate

- 1. Non-agricultural development including single-family dwellings, accessory structures, and alteration of land in the Designated Flood Hazard Area shall be prohibited.
Elevated driveways may be permitted in the Designated Flood Hazard Area.*

