

ORDINANCE NO. 2024-21

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 at 4717 S Marietta Rd, Shelbyville, Hendricks 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 Hendricks 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) (8.241 acres). A petition was filed by James & Kelly Rush on October 31, 2024, under Case No. RZ 24-09, 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:

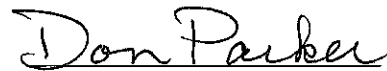
Land rezoned from "A1," Conservation Agricultural, to "A2" Agricultural:

The parcel of land and real estate located in Hendricks 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 Hendricks Township Zoning District Map as lying in an "A1" Conservation Agricultural District is hereby rezoned to "A2" Agricultural.

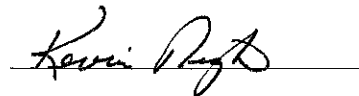
Section 3: Effective Date. This ordinance shall be in full force and effect from and after its adoption by the Board of Commissioners of Shelby County, Indiana.

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 All ordinances and parts of ordinances in conflict with the specific amendment herein are hereby repealed.

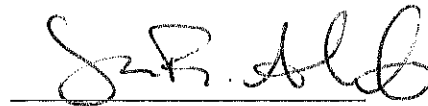
ADOPTED this 9th day of December 2024 by a vote of 3 ayes and 0 nays of members of the Board of Commissioners of Shelby County, Indiana.



Don Parker, President

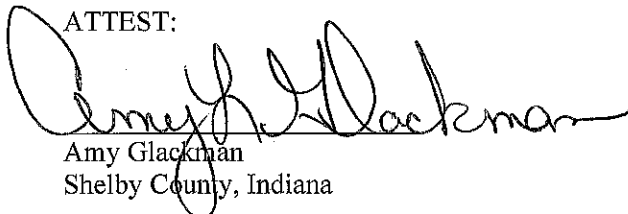


Kevin Nigh, Member



Jason Abel, Member

ATTEST:



Amy Glackman
Shelby County, Indiana

EXHIBIT A

LEGAL DESCRIPTION OF LOT 1

Part of the Southeast Quarter of Section 29, Township 12 North, Range 6 East in Hendricks Township, Shelby County, Indiana, described as follows:

Commencing at the Northeast corner of the Southeast Quarter of said Section 29; thence along the East line of said quarter section South 01 degrees 35 minutes 05 seconds East 1326.28 feet to the Northeast corner of the Southeast Quarter of said quarter section in Marietta Road; thence along Marietta Road, South 00 degrees 25 minutes 47 seconds East 507.71 feet to a Mag Nail at the Northeast corner of a 19.82 acre tract for the lands of Bradley L. DeMott described in an Affidavit recorded as Miscellaneous Record 74, Page 572-574 in the Office of the Recorder of Shelby County; thence continuing along Marietta Road the following three calls: South 00 degrees 25 minutes 47 seconds East 111.10 feet; South 16 degrees 40 minutes 16 seconds West 101.00 feet; South 37 degrees 57 minutes 30 seconds West 20.50 feet to a Railroad Spike and the Southeast corner of a 10.35 acre tract per unrecorded survey by David U. Soller, dated October 31, 1974, in the records of the Office of the Auditor of Shelby County; thence along said south line South 89 degrees 46 minutes 42 seconds West 1832.36 feet to a 5/8" Capped Rebar stamped Koehne LS20800128" (from hereon referred to as "monument") and the Point of Beginning, passing a 1/2" Iron Pipe at 1804.36 feet; thence parallel with the west line of a 2.78 acre tract per unrecorded survey David U. Soller, dated April 19, 1978, in the records of the Office of the Auditor of Shelby County, North 00 degrees 41 minutes 54 seconds East 208.00 feet to a monument; thence parallel with said south line of the 10.35 tract, North 89 degrees 46 minutes 42 seconds East 28.00 feet to said west line of the 2.78 acre tract and a monument; thence along said west line North 00 degrees 41 minutes 54 seconds East 518.80 feet to the northwest corner thereof and a monument; thence along the bank of Howell Legal Drain the following 8 calls, all of which except the last call are to monuments: North 36 degrees 07 minutes 56 seconds West 100.00 feet; South 89 degrees 13 minutes 54 seconds West 140.00 feet; North 85 degrees 24 minutes 36 seconds West 150.00 feet; South 77 degrees 52 minutes 44 seconds West 40.00 feet; South 38 degrees 14 minutes 34 seconds West 70.00 feet; South 14 degrees 10 minutes 45 seconds West 410.00 feet; South 45 degrees 33 minutes 32 seconds West 145.00 feet; South 20 degrees 09 minutes 24 seconds West 45.00 feet; thence North 85 degrees 33 minutes 25 seconds East 106.75 feet more or less to the center of an existing gravel drive; thence more or less along said gravel drive the following 3 calls: along a curve to the right with Delta Angle of 41 degrees 19 minutes 17 seconds, a Radius of 120.00 feet, an Arc Length of 86.54 feet, a Tangent of 45.25 feet, and on a chord South 73 degrees 46 minutes 56 seconds East 84.68 feet to a monument; South 53 degrees 07 minutes 17 seconds East 157.75 feet to a monument; South 58 degrees 17 minutes 18 seconds East 151.22 feet to a monument; thence along a curve to the left with a Delta Angle of 31 degrees 56 minutes 00 seconds, a Radius of 160.00 feet, an Arc Length of 89.17 feet, a Tangent of 45.78 feet, and on a chord South 74 degrees 15 minutes 18 seconds East 88.02 feet to the extended south line of said 10.35 acre tract; thence along said extended south line, North 89 degrees 46 minutes 42 seconds East 86.22 feet to the Point of Beginning. Containing 8.2412 acres more or less.

EXHIBIT B

