



Common Council

Agenda Item

Cover Sheet

MEETING DATE: July 23, 2024

- Previously Discussed Ordinance
- Proposed Development Presentation
- New Ordinance for Discussion
- Miscellaneous
- Transfer

ITEM or ORDINANCE: #39-07-24

PRESENTED BY: Amy Steffens, Attorney Matt Skelton

- Information Attached
- Bring Paperwork from Previous Meeting
- Verbal
- No Paperwork at Time of Packets

ORDINANCE NO. 39-07-24

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE,
A PART OF THE COMPREHENSIVE PLAN OF THE CITY OF NOBLESVILLE,
HAMILTON COUNTY, INDIANA**

This is an Ordinance to amend the Unified Development Ordinance for the City of Noblesville, Hamilton County, Indiana (the “UDO”), enacted by the City of Noblesville under authority of Indiana Code § 36-7-4-600, et seq., as amended.

WHEREAS, the Plan Commission of the City of Noblesville (the "Plan Commission") conducted a public hearing on application number LEGP-000187-2023 (the “Petition”) at its July 15, 2024, meeting as required by law in regard to the application filed by EC New Vision Indiana, LLC, an Indiana limited liability company (the “Developer”) for a request in change of zoning; and

WHEREAS, the Plan Commission sent arecommendation relating to the Petition to the Common Council of the City of Noblesville, Indiana (the “City Council”), by a vote of six (6) in favor and zero (0) opposed;

NOW, THEREFORE, BE IT ORDAINED by the City Council, meeting in regular session, it hereby adopts this ordinance (“Ordinance”) as an amendment to the UDO and the Official City of Noblesville Zoning Map (the "Zoning Map”) to read as follows:

- Section 1.** That the subject real estate containing approximately 42.89 acres located generally southeast of the intersection of the Midland Trace Trail and Hazel Dell Road in Noblesville, Indiana, which real estate is more particularly described in Exhibit A, attached hereto and incorporated herein by this reference, is hereby rezoned from the R1 district to the R-3 district as designated in the UDO.
- Section 2.** That the Zoning Map shall be updated concurrently to reflect the changes referred to in Section 1 above. A copy of the Zoning Map shall be located in the Office of the Clerk of the City of Noblesville.
- Section 3.** This Ordinance shall be in full force and effect from and upon the earlier of its adoption and publication in accordance with the law.

Approved on this _____ day of _____, 2024 by the Common Council of the City of Noblesville, Indiana:

AYE		NAY	ABSTAIN
	Mark Boice		
	Michael J. Davis		
	Evan Elliott		
	David M. Johnson		
	Darren Peterson		
	Pete Schwartz		
	Aaron Smith		
	Todd Thurston		
	Megan G. Wiles		

ATTEST: _____
 Evelyn L. Lees, City Clerk

Presented by me to the Mayor of the City of Noblesville, Indiana, this _____ day of _____, 2024 at _____ .M.

 Evelyn L. Lees, City Clerk

MAYOR'S APPROVAL

 Chris Jensen, Mayor

 Date

MAYOR'S VETO

 Chris Jensen, Mayor

 Date

ATTEST: _____
 Evelyn L. Lees, City Clerk

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Matthew S. Skelton.

Prepared by: Matthew S. Skelton, Attorney-At-Law, Church Church Hittle + Antrim, Two North Ninth Street, Noblesville, Indiana 46074 | (317) 773-2190.

Exhibit A

Part of the Southwest quarter of the Northwest quarter of Section 3, Township 18 N., Range 4E; beginning at the West line of said section at a point 20 feet south of the center of the tracks of Midland Rail Road as now located, and running South 16 rods and 3 feet; thence East 64 rods; thence North 16 rods and 3 feet to the rights-of-way of said railroad; thence West on said right-of-way to the place of beginning.

ALSO:

A part of the northwest quarter and part of the southwest quarter of Section 3, Township 18 north, Range 4 East, described as follows: Begin at a point 830 feet north of the southwest corner of the north half of the southwest quarter, Section 3, Township 18 North, Range 4 East, thence north on the west line of Section 3, township 18 north, Range 4 East, 1530 feet to a point; thence east along an old fence 1122 feet; thence south along old fence line 1014.6 feet to stone marked X. said stone being on the line between the northwest quarter and the southwest quarter of said section 3 and 1532.4 feet west of the southeast corner of said northwest quarter; thence south 500 feet to a stone; thence west along said fence line 1122 feet to place of beginning. Containing 39.21 acres, more or less, except twenty two one-half acres (22 1/2), by parallel lines, off of the entire south side thereof.

ALSO:

A part of the northwest quarter and part of the southwest quarter of Section 3, Township 18 north, Range 4 east, described as follows:

Begin at a point 830 feet north of the Southwest corner of north half of southwest quarter, Section 3, Township 18 North, Range 4 East, thence north on west line of section 3, township 18 north, range 4 east, 1530 feet to a point; thence east along an old fence 1122 feet; thence south along old fence line 1014.6 feet to stone marked X, said stone being on the line between the northwest quarter and the southwest quarter of said section 3; thence south 500 feet to a stone; thence west along said fence line 1122 feet to place of beginning.

Noblesville Plan Commission Noblesville, Indiana

To the Noblesville City Council:

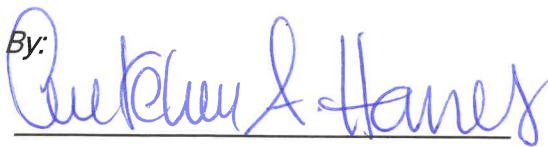
This is to certify that the Plan Commission of Noblesville, Indiana held a public hearing on the **15th day of July, 2024** for a preliminary development plan and ordinance, a part of the Comprehensive Master Plan, and after due consideration, recommends that the City of Noblesville ADOPT said amendment.

Request: **Application No. 0188-2023** Change of Zoning from to "R3 Single-Family and Two-Family Residential" to "R3/PD Residential Planned Development" for the construction of single-family residential lots and the adoption of a preliminary development plan, ordinance including waivers, and/or stipulations for approximately 43 acres to be known as "Courtyards at Hazel Dell" and located in the 17000 - 17300 block of Hazel Dell Road, east side. Submitted by Charles & Linda Holland, Wayne & Shirley Holland, and Susan Sheridan (Owners), Epcon Communities (Applicants), and Matt Skelton, Attorney
Staff Reviewer - Amy Steffens

Plan Commission Action: 6 Ayes 0 Nays 0 Abstentions

Petition is forwarded with a FAVORABLE recommendation

Respectfully submitted,
Noblesville Plan Commission

By: 
Gretchen A. Hanes President


Caleb P. Gutshall Secretary