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Jennifer Hayden
HAMILTON County Recorder IN
Recorded as Presented



ORDINANCE NO. 25-04-21, As Amended

AN ORDINANCE CONCERNING AN AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE NO. 62-12-95 AND ALL AMENDMENTS THERETO, A PART OF THE COMPREHENSIVE PLAN FOR THE CITY OF NOBLESVILLE, HAMILTON COUNTY, INDIANA, AND THE ADOPTION OF A PRELIMINARY DEVELOPMENT PLAN

Document Cross-Reference No: 2005-37148

This Ordinance (the “Marilyn Woods PD Ordinance”) amends the Unified Development Ordinance of the City of Noblesville, Hamilton County, Indiana No. 62-12-95 (the “UDO”) enacted by the City of Noblesville (the “City”) under authority of Chapter 174 of the Acts of the Indiana General Assembly 1947, as amended.

WHEREAS, the Advisory Plan Commission of the City of Noblesville (the “Plan Commission”) has conducted a public hearing on Application No. LEGP-0029-2021 at its March 15, 2021 meeting as required by law in regard to the application (the “Petition”) filed by Apollo Developers, LLC (the “Developer”) concerning a change of zoning of property described in Exhibit A attached hereto (the “Real Estate”) containing 56.663 acres and the adoption of a preliminary development plan depicted in Exhibit B attached hereto, to be known, collectively, as “Marilyn Woods Planned Development”, as further described in Section 3 below (the “Plan”); and,

WHEREAS, the Advisory Plan Commission has sent a favorable recommendation for adoption of said amendment with a vote of 10 AYES and 0 NAYS to the Common Council;

NOW THEREFORE, BE IT ORDAINED by the Common Council of the City of Noblesville, Hamilton County, Indiana, meeting in regular session, that the Unified Development Ordinance, is hereby amended as follows:

Section 1. Applicability of Ordinance

- A. Development in this District shall be governed entirely by (i) the provisions of this Marilyn Woods PD Ordinance and its exhibits, and (ii) those provisions of the UDO in effect as of the date of adoption of this Ordinance, and applicable to the Mixed Residential Subdistrict, except as modified, revised, supplemented or expressly made inapplicable by the Ordinance (collectively, the “Governing Standards”).
- B. All provisions and representations of the UDO that conflict with the provisions of this Marilyn Woods PD Ordinance and its exhibits are hereby rescinded as applied to the Real Estate and shall be superseded by the terms of this Marilyn Woods PD Ordinance.

Section 2. Permitted Uses. Single family residential detached housing with the number of Dwelling Units not exceeding one hundred thirty-five (135).

Section 3. Preliminary Development Plan.

- A. What is attached hereto as **Exhibit B** shall be referred to as the “Preliminary Development Plan”. Full sized, scale development plans are on file with the City’s Planning and Development Department with the attached Exhibit B being a general representation of the complete set.
- B. The Preliminary Development Plan is hereby incorporated herein and approved. Pursuant to Article 8 of the UDO, the Preliminary Development Plan is intended to establish the basic goals and policies, bulk standards, variations/waivers from the Underlying District and layout of the District.

Section 4. Bulk Standards. The bulk requirements of UDO Article 8.E.4.B.2.a. shall apply except as noted below:

Product Type	65 foot lots	50 foot lots	36 foot lots
Overall Maximum Density	3.5 units/acre		
Minimum Lot Width	65'	50'	36'
Maximum Number of Lots	47	28	60
Minimum Lot Area	8,125 s.f.	6,500 s.f.	2,880 s.f.
Maximum Building Height	35'	35'	38'
Minimum Front Setback	25'	25'	10'
Minimum Side Setback	5'	5'	3'
Minimum Rear Setback	20'	20'	5'*
Minimum Floor Area per unit One-Story	1,600 s.f.	1,500 s.f.	N/A
Minimum Floor Area per unit Two-Story	1,700 s.f.	1,600 s.f.	1,400 s.f.

* - On all 36' Lots, the Rear Yard shall be the yard on which the driveway is located. On Lots 10-38, the Minimum Rear Setback shall be nine (9) feet.

Section 5. Lot and Landscaping Standards.

- A. The requirements of UDO Article 6.C.2.B.2. regarding corner lots shall not apply. Instead, corner lot sizes shall be substantially similar to their depiction in the Preliminary Development Plan and in the Corner Lot exhibit depicted in **Exhibit D**, attached hereto.
- B. The peripheral buffer yard prescribed in UDO Article 8.H.3.F.2. shall be reduced to 15 feet parallel to Marilyn Road running north from the southeast

corner of the Real Estate approximately 370 feet, as depicted in the Preliminary Development Plan.

- C. Tree and shrub plantings shall not be required in the peripheral yard area where there is a mature section of vegetation proposed to be maintained, generally in the north and west sides of the development.
- D. Landscaping on individual lots shall be substantially similar to the depiction in **Exhibit E**, attached hereto.





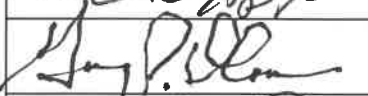

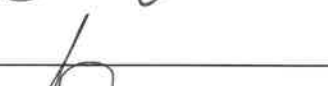

Section 6. Architectural Standards. Architectural standards for the District are described in **Exhibit C**, attached hereto.

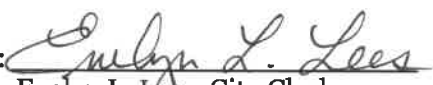
Section 7. Sidewalks shall not be required along the roadways for the 36-foot lots. Instead, sidewalks will be provided as depicted in the Preliminary Development Plan.

Section 8. Detailed Development Plan. Approval of a Detailed Development Plan (“DPP”) shall follow the procedures set out in Article 8 of the UDO, subject to the following clarification: (i) the Director of Planning shall approve Minor Changes; and (ii) if a DPP includes a Major Change from the approved Preliminary Development Plan, then, prior to approval of the DPP, an amended Preliminary Development Plan shall be approved in accordance with Article 8, Part E, Section 4 of the UDO. A Secondary Plat shall be submitted for review and approval as part of any approved DPP, in accordance with Article 5, Part B, Section 3 of the UDO.

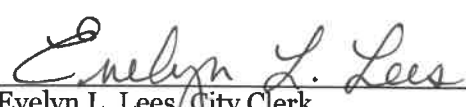
Section 9. Effective Date. This Marilyn Woods PD Ordinance shall be in full force and effect from and upon its adoption and publication in accordance with the law.

Approved on this 27th day of April, 2021 by the Common Council of the City of Noblesville, Indiana:

AYE		NAY	ABSTAIN
	Brian Ayer		
	Mark Boice		
	Michael J. Davis		
	Wil Hampton		
	Gregory P. O'Connor		
	Darren Peterson		
	Pete Schwartz		
	Aaron Smith		
	Megan G. Wiles		

ATTEST: 
 Evelyn L. Lees, City Clerk

Presented by me to the Mayor of the City of Noblesville, Indiana, this 28th day of April, 2021 at 8:25 A.M.


 Evelyn L. Lees, City Clerk

MAYOR'S APPROVAL

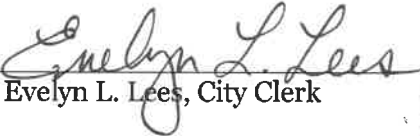

Chris Jensen, Mayor

4-28-21
Date

MAYOR'S VETO

Chris Jensen, Mayor

Date

ATTEST: 
Evelyn L. Lees, City Clerk



I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law.

Matthew S. Skelton
Printed Name of Declarant

Prepared by Matthew S. Skelton, Church Church Hittle & Antrim, 2 North 9th Street, Noblesville, IN 46060

317.773.2190

EXHIBIT A

Legal Description

Part of the Northwest Quarter of Section 22, Township 18 North, Range 5 East in Hamilton County, Indiana, being more particularly described as follows:

Beginning at the Southwest Corner of the said Northwest Quarter Section; thence North 00 degrees 05 minutes 46 seconds West along the West Line of the said Northwest Quarter Section a distance of 1918.61 feet; thence North 89 degrees 10 minutes 38 seconds East, parallel with the South Line of the North Half of the said Northwest Quarter Section, a distance of 1321.07 feet to the East Line of the West Half of the said Northwest Quarter Section; thence South 00 degrees 07 minutes 48 seconds East along the said East Line a distance of 1921.61 feet to the Southeast Corner of the West Half of said Northwest Quarter Section; thence South 89 degrees 18 minutes 28 seconds West along the South Line of the said Northwest Quarter Section a distance of 1322.17 feet to the Beginning Point, containing 58.253 acres, more or less.

EXCEPT, right of way dedicated in document 2010024200:

A part of the Northwest Quarter of Section 22, Township 18 North, Range 5 East, Fall Creek Township, Hamilton County, Indiana, being described as follows:

Commencing at the Southwest corner of the Northwest quarter of Section 22, Township 18 North, Range 5 East; thence on the South line of said Southwest Quarter North 89 degrees 18 minutes 29 seconds East (assumed bearing) 822.17 feet to the point of beginning of this description; thence parallel with the East line of the West half of said Northwest Quarter North 00 degrees 07 minutes 46 seconds West 75.00 feet; thence parallel with the South line of said Northwest Quarter North 89 degrees 18 minutes 29 seconds East 425.00 feet; thence parallel with the East line of the West half of said Northwest Quarter North 00 degrees 07 minutes 46 seconds West 425.00 feet; thence parallel with the South line of said Northwest Quarter North 89 degrees 18 minutes 29 seconds East 75.00 feet to the East line of the West half of said Northwest Quarter; thence on said East line South 00 degrees 07 minutes 46 seconds East 500.00 feet to the Southeast corner of the West half of said Northwest Quarter; thence on the South line of said Northwest Quarter South 89 degrees 18 minutes 29 seconds West 500.00 feet to the point of beginning, containing 1.59 acres, more or less.

EXHIBIT B
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Color Rendering

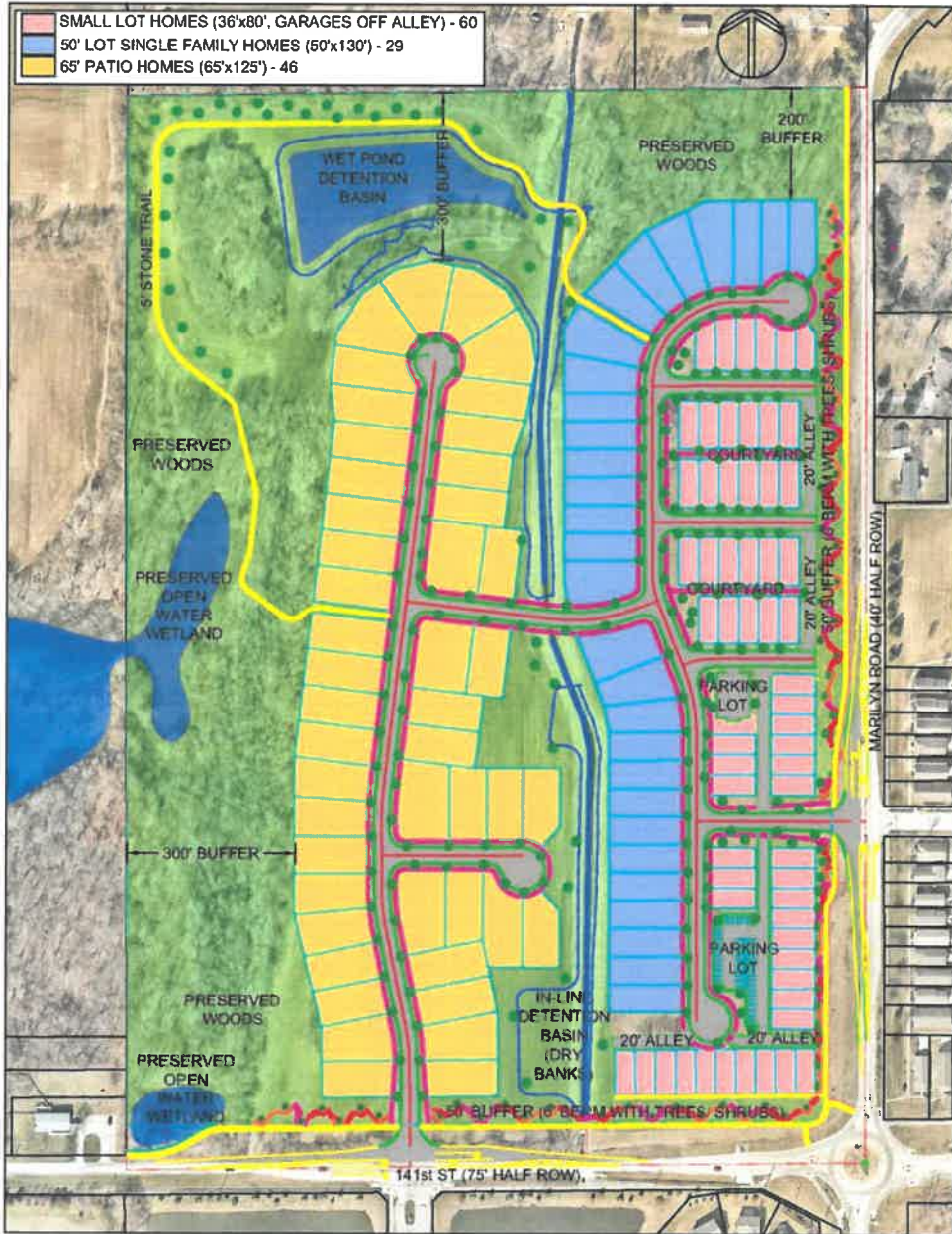






EXHIBIT B
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Preliminary Development Plan

**PRELIMINARY DEVELOPMENT PLANS MARILYN
WOODS SUBDIVISION
NOBLESVILLE, INDIANA
LAND USE: SINGLE-FAMILY, SUBDISTRICT:
MIXED RESIDENTIAL, A PART OF
THE CORPORATE CAMPUS
PLANNED DEVELOPMENT DISTRICT**

COVER SHEET
MARILYN WOODS SUBDIVISION
NOBLESVILLE, INDIANA

DATE: 01/12/2017

DEVELOPER:
Marilyn Woods
11111 North State Street
Suite 100
Indianapolis, IN 46240
Phone: 317.555.1111
Fax: 317.555.1112
www.marilynwoods.com

ENGINEER:
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EXHIBIT B
(page 3 of 6)

Preliminary Development Plan

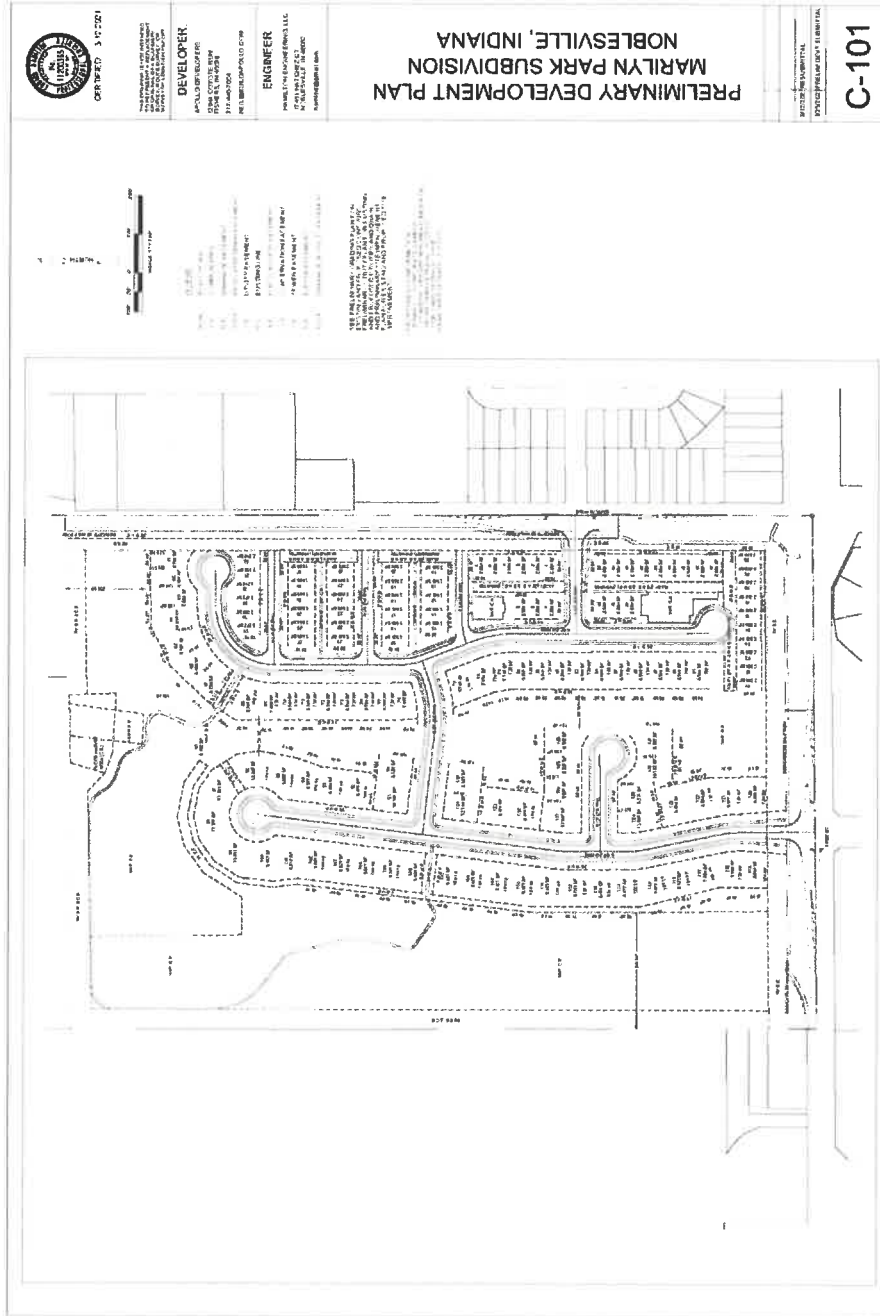


EXHIBIT B
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Preliminary Development Plan

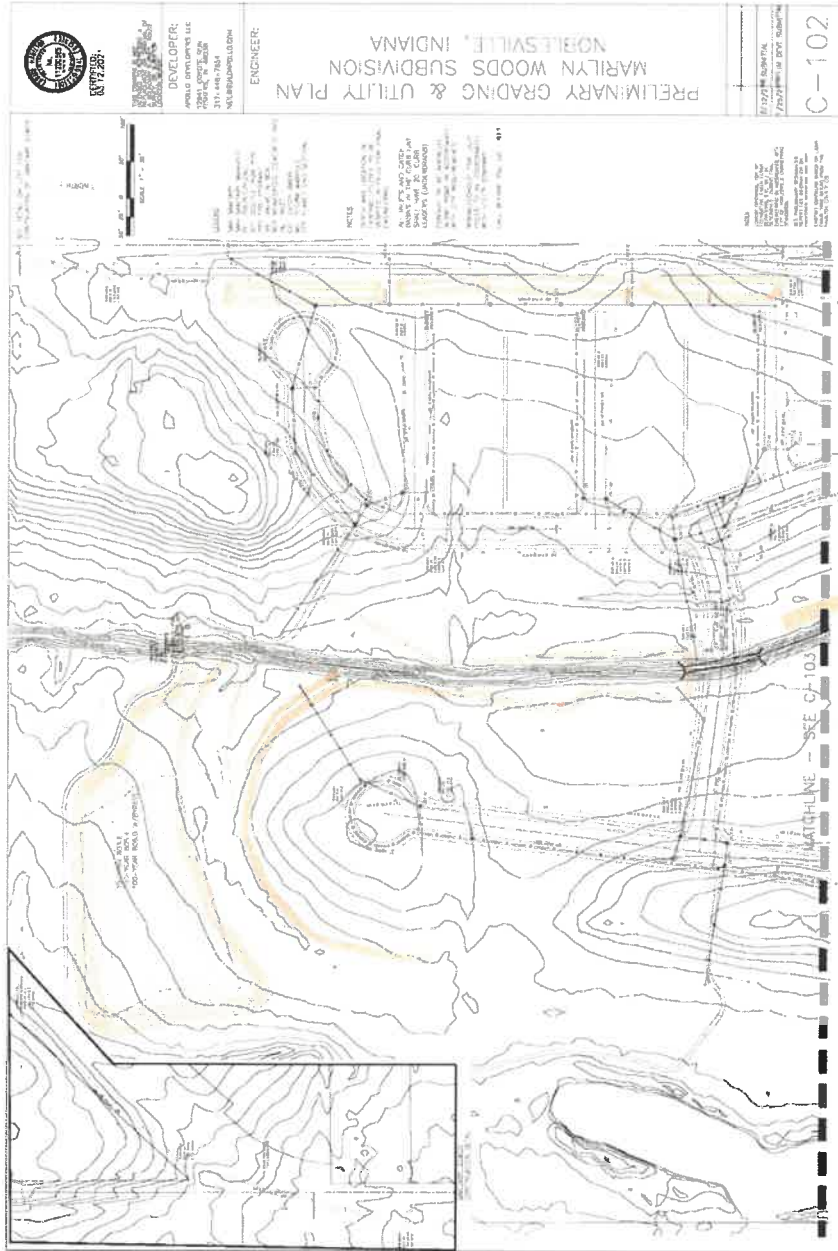


EXHIBIT C
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Architectural Standards

Architectural Standards - Single Family Attached Residential		36' Lot Homes	50' Lot Homes	65' Lot Homes	
General/ Miscellaneous	Floor Area/Dwelling Unit (Minimum)	One Story	N/A	1,500 SF	1,600 SF
		Two Story	1,400 SF	1,600 SF	1,700 SF
	Lot Coverage (Maximum)		N/A	N/A	N/A
	Building Height (Maximum)		38'	35'	35'
	Corner Breaks (Minimum)	Primary Architectural Plane	2 per side	2	2
		Secondary Architectural Plane	0	0	0
	Porch		Required	Y	Y
	Address Block Required		Y	Y	Y
	Allowable Foundation Type	Slab	Y	Y	Y
		Basement	Y	Y	Y
Materials	Masonry Percentage (Minimum)	Primary Architectural Plane	10%	10%	15%
		Secondary Architectural Plane	NA	NA	NA
		Chimney	N	N	N
	Approved Materials (Non Masonry)	Fiber Cement Board	Y	Y	Y
		Stucco	N	N	N
		Wood	Y	Y	Y
		Vinyl	N	N	N
Aluminum	N	N	N		
Roof	Roof Pitch (Minimum)	Primary Ridge	6:12	6:12	6:12
	Roof Ridgelines (Minimum)	Two-Story	2	2	2
	Roof Overhang (Minimum)	All Architectural Planes	8" ¹	8" ¹	8" ¹
	Allowable Vent Location (Roof)	Primary Architectural Plane	Y	Y	Y
		Secondary Architectural Plane	Y	Y	Y
Windows	Window Size (Minimum)	Standard Window	8SF	8SF	8SF
		Accent Window	4SF	4SF	4SF
	Number of Windows (Minimum)	Primary Architectural Plane	3	3	3
		Secondary Architectural Plane (side)	0	2	2
		Secondary Architectural Plane (rear)	2	2	2
	Window Treatment Required	Primary Architectural Plane	Y	Y	Y
Secondary Architectural Plane		N	N	Y	
Garage	Garage Location	Primary Architectural Plane	N- rear loaded	Y ²	Y ²
	Garage Door Percentage (Maximum)	Two-Story	N/A	50%	50%

Additional Commitments:

1. For 50' and 65' Lot Homes, 12-inch overhang required for non-masonry areas; otherwise, it is an 8-inch minimum adjacent to masonry. For 36' Lot Homes, Front and Rear of homes to have a 12" overhang and 8" overhang on Sides.
2. Decorative garage doors (front load products).
3. If masonry does not meet the standards adopted, then three building materials must be provided per structure.

EXHIBIT C
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Character Exhibits

65 foot lot widths



EXHIBIT C
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Character Exhibits

65 foot lot widths



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Character Exhibits

65 foot lot widths



EXHIBIT C
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Character Exhibits

50 foot lot widths



EXHIBIT C
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Character Exhibits

50 foot lot widths



EXHIBIT C
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Character Exhibits

50 foot lot widths



EXHIBIT C
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Character Exhibits

36 foot lot widths



EXHIBIT C
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Character Exhibits

36 foot lot widths



EXHIBIT C
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Character Exhibits

36 foot lot widths



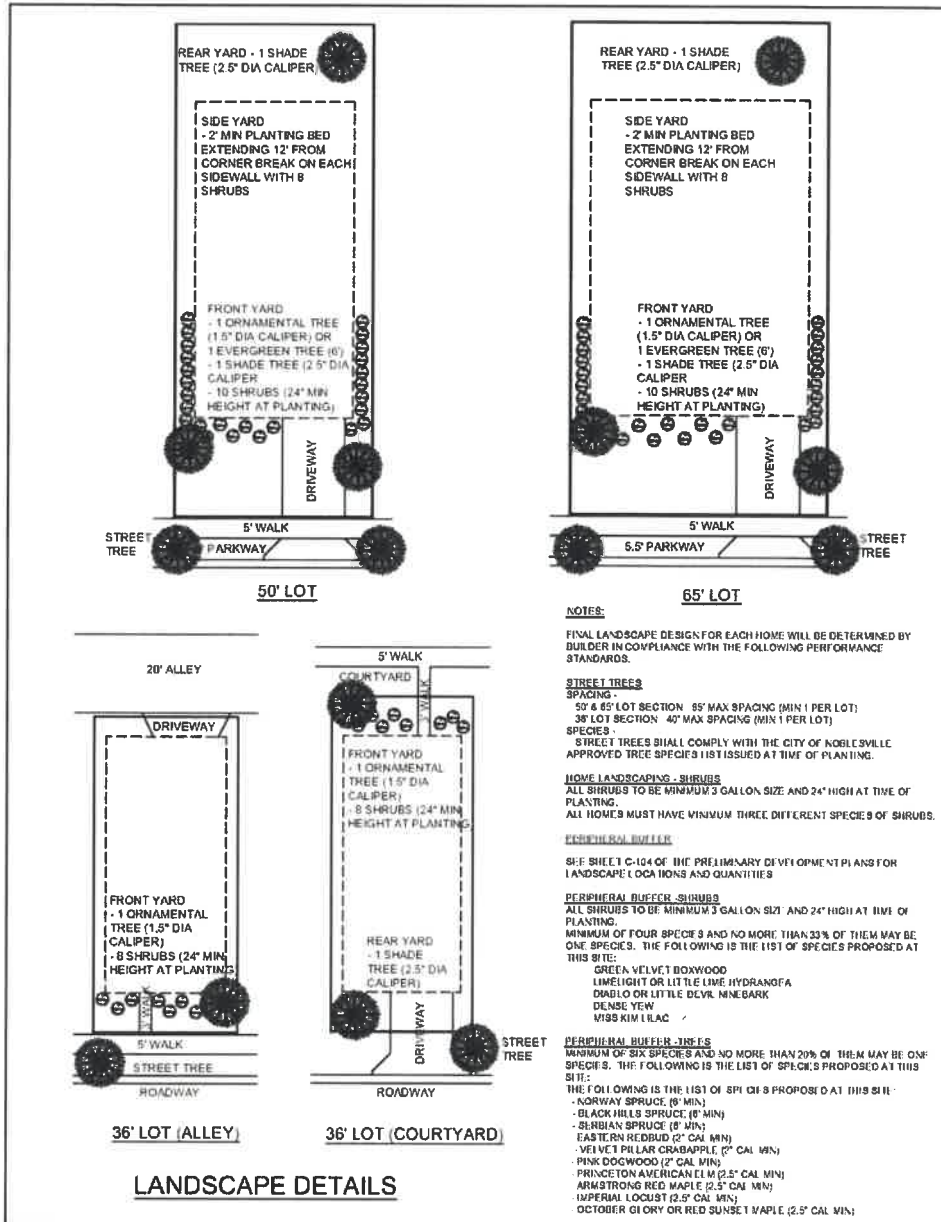
EXHIBIT D

Corner Lot Exhibit



EXHIBIT E

Lot Landscaping Exhibit



NOTES:
FINAL LANDSCAPE DESIGN FOR EACH HOME WILL BE DETERMINED BY BUILDER IN COMPLIANCE WITH THE FOLLOWING PERFORMANCE STANDARDS.

STREET TREES SPACING -
50' & 65' LOT SECTION: 85' MAX SPACING (MIN 1 PER LOT)
36' LOT SECTION: 40' MAX SPACING (MIN 1 PER LOT)

SPECIES:
STREET TREES SHALL COMPLY WITH THE CITY OF NOBLESVILLE APPROVED TREE SPECIES LIST ISSUED AT TIME OF PLANTING.

HOME LANDSCAPING - SHRUBS
ALL SHRUBS TO BE MINIMUM 3 GALLON SIZE AND 24" HIGH AT TIME OF PLANTING.
ALL HOMES MUST HAVE MINIMUM THREE DIFFERENT SPECIES OF SHRUBS.

PERIPHERAL BUFFER:
SEE SHEET C-104 OF THE PRELIMINARY DEVELOPMENT PLANS FOR LANDSCAPE LOCATIONS AND QUANTITIES

PERIPHERAL BUFFER - SHRUBS
ALL SHRUBS TO BE MINIMUM 3 GALLON SIZE AND 24" HIGH AT TIME OF PLANTING.
MINIMUM OF FOUR SPECIES AND NO MORE THAN 33% OF THEM MAY BE ONE SPECIES. THE FOLLOWING IS THE LIST OF SPECIES PROPOSED AT THIS SITE:
GREEN VELVET BOXWOOD
LIME LIGHT OR LITTLE LIME HYDRANGEA
DWARF OR LITTLE LEAF NINEBARK
DENSE YEW
VIBURNUM KIM LILAC

PERIPHERAL BUFFER - TREES
MINIMUM OF SIX SPECIES AND NO MORE THAN 20% OF THEM MAY BE ONE SPECIES. THE FOLLOWING IS THE LIST OF SPECIES PROPOSED AT THIS SITE:
THE FOLLOWING IS THE LIST OF SPECIES PROPOSED AT THIS SITE:
- NORWAY SPRUCE (8' MIN)
- BLACK HILLS SPRUCE (8' MIN)
- SERBIAN SPRUCE (8' MIN)
- EASTERN REDBUD (2" CAL MIN)
- VELVET PILLAR CRABAPPLE (2" CAL MIN)
- PINK DOGWOOD (2" CAL MIN)
- PRINCETON AMERICAN ELM (2.5" CAL MIN)
- ARMSTRONG RED MAPLE (2.5" CAL MIN)
- HERRING LOCUST (2.5" CAL MIN)
- OCTOBER GLORY OR RED SUNSET MAPLE (2.5" CAL MIN)